National Anti-Slavery Standard.

SIDNEY HOWARD GAY, EDITOR. Without Concealment....Without Compromise. EDMUND QUINCY, JAMES RUSSELL LOWELL, } CORRESPONDING EDITORS.

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Selections.

SPEECH OF MR. GIDDINGS,
UPON THE
TEXAS BILL AND THE PRESIDENT'S MESSAGE.
August 12th, 1850.

Mr. GIDDINGS having obtained the floor, said it had been his intention not to intrude upon the time or attention of the House or the committee again at this session, but some late developments had induced him to call attention to one or two points which he deemed important. I shall (continued Mr. G.) speak of the bill now on your table fixing the boundaries of Texas, and of the late message of the President on that subject.

After eight months' discussion, the Senate have defeated the omnibus bill, to the great joy of the people of the North generally, and to the satisfaction of a portion of the South. And while the press is rejoicing over this triumph of right over injustice another bill, more exceptionable in at least some of its important principles, has deen passed by that body, and is now on your table. Senators who voted to strike from the omnibus bill the provisions contained in the one before us, turned around suddenly and voted for the very identical principles which they then denounced. It is now before us and I am told it is to pass this body by *Whig votes*. On this point I hope I may find the rumor unfounded and that I am mistaken. I am unalterably opposed to this bill, for the reason that it surrenders at least forty thousand square miles of territory belonging to New Mexico, and lying within her ancient boundaries. A tract of country as extensive as the State which I in part have the honor to represent, is taken from New Mexico and delivered over to Texas.—This brings me to a short examination of the boundaries between New Mexico and Texas. On this point there are historical facts which appear to have escaped the notice of gentlemen during the discussion of this session.

Formerly Coahuila and Texas were connected for legislative purposes. While thus connected, they appointed commissioners to settle the boundary between them. General Almonte, the former Minister from Mexico to this Government, I think, was one of the commissioners. I cannot give dates, although I once made a pretty thorough investigation of this subject. The line agreed upon by the commisioners commenced at the mouth of the Aransas, and not at the mouth of the Nueces, as is generally stated. The Aransas lies some thirty miles north of the Nueces. The line agreed upon followed up that stream to its source; thence in a direct line to the confluence of the San Antonio and the Colorado; thence up the San Antonio to its source; thence west to the line of New Mexico.—This line lies on the one hundredth degree of west longitude from Greenwich. Now, whatever Texas possesses west of this line, she must hold by purchase or by conquest. So far, therefore, as her legitimate conquests extend, she has a perfect title.

It is admitted on all hands, that the people in the valley of the Nueces united with those of Texas in the revolution. They were located in what is called the county of San Patricia, and properly belong to Texas. Beyond this, however, Texas had never exercised any acts of jurisdiction. She never served a process, or held an individual accountable to Texan laws, until General Taylor marched his army to Point Isabel.

Mr. HOWARD (Mr. Giddings yielding the floor) said that Texas had made surveys within twenty miles of Point Isabel before General Taylor marched from "Corpus Christi," and that a judge of Texas had charged the grand jury that Texas extended to Rio Grande and held jurisdiction to that river.

Mr. GIDDINGS inquired if any Texan officer had ever made an arrest or served process within fifty miles of Point Isabel?

Mr. HOWARD admitted they had not.

Mr. GIDDINGS resumed. The mere assertion of a right by the Legislature of Texas, or by one of her judges, could not be regarded as any evidence of title. There must be some act, some overt movement, to constitute a claim. Now, up to the day that General Taylor reached Point Isabel, we—the citizens of the United States—had paid duties to the Mexican custom-house at that place; and the exercise of Mexican laws had never been suspended or interrupted there until General Taylor's arrival. Now, sir, south of New Mexico lay Coahuila, and south of Coahuila was the State of Tamaulipas, which extended to the Gulf of Mexico.

Mr. HOWARD, (interposing.) Chihuahua lies south of New Mexico.

Mr. GIDDINGS. Some maps lay it down as extending on this side of the river—others do not; but it is a matter of entire indifference so far as relates to my present argument. Point Isabel and Brownsville, opposite Matamoros, were taken by General Taylor, and Texas was suffered to extend her laws over those places; and in that way, perhaps, she may lay some color of claim to the whole of that portion of Tamaulipas lying east of the Rio Grande. I would, therefore, interpose no objection to her holding this country, which is as large as one of the medium size States of this Union.

But when Texas attempts to go further up the Rio Grande, she becomes a trespasser; she has never held possession nor the color of title further north.

Mr. HOWARD interposed, and said that Texas had several times obtained possession of Laredo, which is in Coahuila, although she did not continue that possession at the time General Taylor marched to the Rio Grande.

Mr. GIDDINGS. If she gave up her possessions she gave up her whole title, for she had no other than possession. But this is entirely foreign and immaterial to my argument. My position is, that of maintaining the territory of New Mexico entire without encroachment. This we are bound to do as I think, under our treaty with Mexico, and to admit her as a State at the earliest convenient period.

To what portion of New Mexico did Texas hold title by possession, or by conquest, or by purchase? She sent an army there, it is true, but every man was killed or captured—not one was left to tell the news.

Now, sir, how stands the whole case? The integrity of New Mexico up to *this day*, to *this moment*, has been maintained. Her people are Mexican. They loathe and abhor Texans, and regard them as deadly enemies. We stand bound to protect them. Sir, I would do it; I would fulfill our treaty stipulations, if there be sufficient power in our navy, and army, and militia to effect it. This boundary of New Mexico on the east is clear and indisputable: yet the bill on your table proposes to give up to Texas all that portion which lies south of 36 deg. 30 min. north latitude and east of the 103d degree west longitude. To this tract of country, large enough for a first class State, Texas has no title whatever, nor the shadow of title. The south line which crosses the Rio Grande at "El Paso" is equally clear. These ancient boundaries are too clear to admit of doubt. The whole was conquered by the arms, and purchased by the treasure of the nation.

Mr. Polk, in his annual message of December, 1846, stated to Congress and to the country that "New Mexico, with its capital, Santa Fé, had been *captured* by our arms."

Sir, he did not say that a *portion of Texas* had been conquered. Did he regard Santa Fe as a part of Texas? No such thought had entered the mind of the President. Did he then declare Texas laws in force there? No, sir. He established a military government; a code of laws was formed and promulgated and enforced. The whole system was unknown to Texas; it was the code of New Mexico; under it claims were litigated, criminals were tried, convicted and executed. To this day that code has been maintained throughout the whole of New Mexico. The bill before us proposes to cut down their ancient boundaries, to deliver up to Texas a large portion of the territory which has cost the nation so much blood and treasure. And this is to be done by northern Whigs, as I am told. I hope it is not the case; I trust I may have been misled; I most ardently hope I have been wrongly informed. But it is certain, that up to this time no Whig north of Mason and Dixon's line ever admitted that Texas possessed the shadow of a title to any portion of the territory now proposed to be taken from New Mexico and given to Texas; indeed, I do not now understand that any northern Whig, in either branch of Congress, has alleged any title whatever in Texas. No, sir; I do not think such a northern Whig can be found in Congress or out of it. The only argument that I have heard is, that Texas claimed it, and that we, as her agent, proceeded to conquer and purchase it of Mexico, and that we now hold it as trustee for Texas; and they cite certain principles of law in favor of this position. No one pretends that there was any such thing in fact, or that there is reason or justice in this legal fiction, by which it is sought to bind the Congress of the United States. Such doctrine might, perhaps, be successfully urged before a justice's court, or the common pleas of some State; but when gentlemen here quote "Blackstone's Commentaries" and "Espinasse's Nisi Prius," to control statesmen in the discharge of their duties, the argument should be met and exposed. We sit here to make law—we are governed only by the principles of justice and the Constitution. We were sent here to deal out equity to all under our jurisdiction—let us do it faithfully and fearlessly. I would make no compromise; I would not deliver up a part of New Mexico for the privilege of retaining the remainder of it. No, sir, if this Territory belongs to Texas, let her have it: if it belongs to New Mexico, it is ours, and we shall prove recreant to our trust if we surrender a foot of it. As I have stated, I am told that Whigs—northern Whigs, are to vote for this surrender. Let them do it. Let their names go to the country; let the freemen of the North see who has betrayed the honor, the interests of the nation and of humanity.

Mr. Chairman, you, sir, represent a portion of one section of this Union; I another. What belongs to you I am willing you should have: what belongs to the North shall never be surrendered by my vote.—I believe you, sir, agree with me on this point. I hope we may act together. I will not ask you to surrender what belongs to you, and I trust you will never demand what belongs to the North. I abhor this idea of surrendering a portion of our rights in order to purchase a recognition of other interests. I will never consent to this mode of compromising our constitutional obligations.

But, sir, the worst feature of this bill is that which taxes the people of the free States for the purchase of this territory which belongs to us. Sir, it proposes to take mostly from the pockets of our northern people, ten millions of dollars, and hand it over to the slaveholders of Texas; and for what? Not for territory belonging to her, or to which she has the shadow of claim. No such thing is urged. Why, sir, it is *to save the Union*. To buy a union with Texas—to induce her to remain with us, not to sever the tender and interesting relations that exist between us. They, sir, were brought into the Union in order to uphold and perpetuate her Slavery; and now she demands of our northern freeman ten millions of dollars for the privilege of upholding the vilest system of oppression that ever disgraced civilized man.

Mr. HOWARD said that Texas did not ask annexation to the United States, nor did she ask compensation, nor was he certain she would take it.

Mr. GIDDINGS. It cannot have escaped the recollection of any of us that in 1837, Texas sent her agent here to solicit annexation to the United States.

Mr. HOWARD. But she withdrew it.

Mr. GIDDINGS. And waited until she could induce Mr. Murphy, our charge d' affaires, to recommend its annexation to our territory as a State; and as for taking the money, had she not during the whole session, by her authorized agents, like the horseleech, cried Give, give, give? and did not her Senators vote for this ten millions of tribute from northern pockets? Had they voted the other way the bill would have been defeated.

Why, sir, how came Texas here? The gentleman there holds his seat by sufferance. He has no more constitutional right on this floor than the subject of the Grand Sultan, or the Emperor of Russia. If the argument of the present Secretary of State be correct, and I think it is, the treatymaking power refused to admit her by the only constitutional mode known to us. She then climbed up another way, and we now permit her representatives to hold seats with us.

Mr. HOWARD inquired how Mr. Giddings voted on the proposition to exclude Slavery from a part of Texas? and how he could vote at all if Texas were unconstitutionally a member of this Confederacy?

Mr. GIDDINGS. I have no recollection how I voted, but have no doubt I voted for freedom, in order to make the resolutions as perfect as I could; and then they being unconstitutional, I voted against them.—But, sir, this is the position of Texas: she holds no constitutional position with us yet: she attempts to lay the whole nation under contribution: to subsidize the free States to her aggrandizement. Why, sir, if she would take ten or fifteen millions and leave us, cease to trouble us, I, for one, would be willing to pay it. But I will never pay one dime to retain her in the Union to involve us in future wars, to vex and harass us.

Mr. HOWARD. Why does the gentleman desire to send an army to Texas if we do not belong to the Union?

Mr. GIDDINGS. I never thought of invading Texas. I never dreamed of such a thing. I am a peace man. I abhor offensive wars, and if Texas sees fit to go out of the Union she shall never be called to an account for it by force of arms if I can prevent it. As I said the other day, I am a peace man, but not as my friend from Maryland [General Kerr] erroneously supposed, a "non-resistant." I hold to the right and the duty of self-defence, and I would defend New Mexico. I would welcome every Texan who comes there with arms, to "hospitable graves," but I would oppose the march of an army into Texas or any southern State, to *Compel* them to remain in Union with us. Yes, sir, I do not believe in a government of bayonets and gunpowder at this age of the world. The States must govern themselves; and when they see fit to leave the Union, I would say to them, Go in peace, and God's blessing rest upon you. I would neither shoot them nor cut their throats for thinking they can do better out of the Union than in it. But, sir, when once out of the Union, I would never permit them to return to it until they become so far christianized and civilized as to banish from among them the institution of Slavery. I am aware that these views do not comport with the doctrines held by most of our statesmen. They are nevertheless sentiments which I entertain. I do not believe that men are to be held in this Union by the fear of the sword. No, sir, our Union must be preserved by making it the dispenser of justice, the instrument for maintaining the rights of man, for upholding the rigats of each and all the several States.

But, sir, the payment of this ten millions constituted one of the most objectionable features of the omnibus bill. It is to raise Texan stocks from fifteen cents on the dollar to par value, to make splendid fortunes in little time. To take money from the pockets of the people and put it into the hands of stock-jobbers, and gamblers in Texas scrip. I know not how many members of this body are owners of this scrip. It would not be in order for me to suppose that any member would be operated upon by such paltry considerations as those of making a few thousand dollars. But, sir, if this bill passes, it must be by some unseen power cooperating with Executive influence; and it is certain as any given point that the holders of this scrip, and stock-jobbers, are to gain at least nine out of ten millions of this money which is to be filched from the people.

But, sir, certain Senators in the other end of the Capitol have been endeavoring to convince the people of the propriety of passing the omnibus, as it is called. There was no reason, no argument to be found in favor of it. There was only one consideration which could in any degree reconcile the people to it. That argument could only be addressed to their fears. The cry was raised that "*the Union is in danger!*" It was echoed by the papers here. The cry was caught up and repeated by every timid, faltering paltroon of the northern press. Petitions to save the Union from Texas rapacity were circulated. Public meetings held in our commercial cities where Texas scrip was most plenty, and resolutions adopted in favor of the Union. Fourth of July orations were delivered, and theological pamphlets written, and morning prayers were put up in this Hall to *save the Union*. Not that we may deal out justice and mercy, those attributes of Deity, to our fellow man; not that we should walk humbly, and practice righteousness. No, sir, these are regarded as trifling matters, when compared with the passing danger that Texas will dissolve the Union.

Sir, I am sickened, nauseated, with this insipid cowardice, this moral and political effeminacy. Sir, it is unworthy of American statesmen. Our constituents never sent us here to surrender their rights. to have us turn round and thrust our hands into their pockets, and taking out ten millions of dollars, to hand it over to the slave-dealers and shaveholders of Texas. Let gentlemen say what they will, the people have no fears of the dissolution of the Union. And, sir, let me say that they would not, they do not desire to maintain a Union that is liable to be dissolved by the miserable gasconade of Texas or any other State. They, sir, know their power.—They understand their rights, and you cannot deceive them by this cry that Texas will dissolve the Union.

But, it is said that we must stop this agitation. Sir, what do gentlemen understand by agitation? Do they suppose that we can stop the investigations of truth by Northern freemen? Does any man intend to say that we, by statute law, can silence the voice of humanity, or seal the lips of reformers, or stop the progress of truth? Sir, can we set boupds to human progress? The great founder of our religion, when He appeared on earth and proclaimed the heaven-born truths of His Gospel, was denounced as an *agitator*; was arrested, tried, condemned, and executed for asserting the sublime doctrines which Scribes and Pharisees were too stupid to comprehend. It was done to stop agitation; but, sir, truth, emanating from its Divine Author, has extended and spread and progressed, and will continue to go on "conquering and to conquer," in spite of all the political Scribes and Pharisees of this Congress, and in spite of all the doughfaces of the nation.

Why do not gentlemen turn their attention to the progress now making in the arts and sciences. Why not follow the example of those who attempted to stop the agitation of Gallileo when he made the discovery of the great law which controls our solar system, retaining the planets in their orbits while sailing through immensity of space with such inconceivable velocity? He, sir, was regarded as an agitator, and excommunicated for his *infidelity* in thus daring to state truths too great for the comprehension of the stupid clergy of that day. I believe it required the *conservative* clergy of that day two hundred and fifty years to comprehend the laws of nature which Gallileo proclaimed. How long will it require our political doctors to comprehend the very obvious fact that an intelligent and educated people *will think and speak for themselves?* Why don't you imprison Morse, tear down the telegraphic wires, break up and scatter the galvanic batteries, and prohibit by statute the use of this magnetic railroad of thought? Why not erase from our history the name of Fulton, lay up your steamboats in ordinary, place fetters upon your locomotives, and plough up your railroads, and then pass an act of Congress to prevent all agitation upon these subjects of improvement and progress in science and invention? Why not go down to yonder institute and drive Page from his laboratory, unchain the imprisoned lightning there pent up, and prohibit further agitation in regard to his galvanic engines? Let us adopt the example of the Chinese, and by *conservative* legislation prohibit all progress and all improvements? For if you permit mankind to pursue knowledge and ascertain truth in one department, others will be occupied, and men will advance in moral and political intelligence.

But, sir, do gentlemen here really feel competent to instruct the people on this subject of Texan boundary? Let them go to the dairymen, the farmers, and mechanics of my district, and nine out of every ten will tell them all about the subject. Yes, sir, nine out of every ten can judge as accurately upon the propriety of admitting California, of maintaining the ancient boundaries of New Mexico, of admitting New Mexico as a State when she presents her constitution, and of the gross insult it would be to make them pay Texas ten millions of dollars for territory to which she has no claim, as some gentlemen in this House, or in the other end of the Capitol.

Sir, if you wish to *create* agitation among them, *pass that bill!* Take from their hard earnings this ten millions of money and pay it over to Texas, and sir, I will promise you *agitation*, INCREASED *agitation*. Let Northern men vote thus to render their constituents tributary to Texas, and such representatives will find agitation at home; agitation that, like Banquo's ghost, will not "down at their bidding."

Sir, for seven months have we discussed this subject of admitting California. Month after month have her Senators and Representatives been waiting here, and respectfully asking admission, to which they have a clear and indisputable right. No valid, or even reasonable objection exists against her admission. The only argument put forth is, that it shall not be done until the Texas boundary shall be settled, and civil government established in Utah and New Mexico without the proviso excluding Slavery. In the other end of the Capitol, California has been laid aside, and other bills for establishing a government in Utah and defining the boundaries of Texas have been taken up and passed, while California is permitted to sleep upon the table of the Senate. Why is this? The answer is understood by all: the slave power bids it, and Northern men surrender, and obey its behest.

But, sir, it is said that the President is anxious for the settlement of all these questions. Indeed, that is manifested in his late message, to which I will now ask attention for a few minutes. So far as the message treats of our rights to the Territory of New Mexico, and the duties of the executive to maintain those rights until Congress shall dispose of the subject, its doctrine is sound, and the argument conclusive. To this extent, I think, the North, of all parties, and, indeed, most of the South will sustain and uphold the principles of the message; and will, to the extent of their influence and power, assist him in carrying out the views he has so well and ably expressed.

I take this opportunity to say, that neither myself, nor the political friends with whom I act, make war on any party or any man. We are contending for what we deem great and paramount principles; and so far as the President and his party shall maintain our doctrines we will maintain him; and when he departs from them, and adopts sentiments which we deem essentially opposed to justice and to the rights of the people, we shall freely state our objections. I therefore repeat, that the message, to this extent, is satisfactory and right. But when the President goes on to intimate the dangers arising to our Union from the blustering of Texas, and intimates the propriety of our paying Texas for any portion of the territory of New Mexico, on account of her attempts to intimidate us, I feel constrained to say that I think his position unworthy of his high station. The whole of this portion of the message is undignified, and bespeaks a timidity unworthy the Chief Magistrate of this nation. No man can mistake this character of the message. The President's anxiety to have this matter settled, to relieve him from responsibility—to get it laid aside, without much reference to the principles on which it is to be compromised, is too apparent to be misunderstood.

Sir, the message begins with General Taylor's policy, and ends with that of the Secretary of State. It begins in boldness, and ends in political pusillanimity. It commences by maintaining our political rights, and closes by advising us to surender them up. It begins by informing Texas that she must submit to constitutional authority, and ends by proffering to pay her richly if she will but obey the Constitution.

The message was evidently intended to facilitate the passage of these bills to which I have referred. Indeed the President's organ, the oldest Whig paper perhaps in the Union, conducted with great dignity and general propriety, comes out this morning, giving a programme of the future action of this body. It not only anticipates the passage of these objectionable bills here for the reason that they are in accordance with the recommendation of the President, but foretells their passage *in the order in which they are sent us from the Senate*. That we are to have no delay; that the session ought to be brought to a close; and these bills ought not to detain Congress at this season of the year. Well, sir, these admonitions, coming from that quarter, are surely worthy of consideration. I have been told this morning, also, that the whole thing was arranged before the defeat of the omnibus bill; that leading members of the other end of the Capitol had arranged the whole affair, and that the bills are to be forced through under the screw of the previous question, without being committed or discussed; and that this is to be done by Whig votes. I await these movements with great curiosity. To this time, as I have before remarked, the Whig party North has at all times denied that Texas had any claim to any portion of New Mexico; and I am unwilling to believe that they will now throw a political somerset, and admit that she has a title there, and go for paying her ten millions of dollars for it; but "we shall see what we shall see."

I think the President will find that Executive influence is not as omnipotent now as it was in former times. That Representatives here have learned that there is a power, not behind, but above the throne—one that will command obedience even from the President himself. Why, sir, when President Taylor first ascended the presidential chair, he was anxious for the establishment of civil governments in New Mexico and California. All will recollect his desires to save the people there from the government of the bowie-knife and the pistol.

Sir, a few Free-Soilers, aided by Whigs and Democrats, resisted the establishment of such governments, unless Slavery were excluded. The indignant frowns of the President were threatened to be poured out upon the Free Soil party, if they opposed that measure again. Sir, these threats had no effect. Free Soilers and the people stood firm. General Taylor saw the course of public sentiment, and wisely changed his course and adopted the policy of having no territorial governments; and the whole Whig party cried, Amen; great is General Taylor, and his whole policy is based upon profound wisdom. General Taylor now sleeps with his fathers—peace to his ashes. But it seems that a Whig generation has now risen up, who know not General Taylor, and who now are to vote for the establishment of a civil government in Utah, without any exclusion of Slavery. Well, sir, it is the duty of a soldier to face to the right, or to the left, or to the right about, according to the word of his commander. And we shall, I hope, have an opportunity of seeing precisely who obeys the word with alacrity; how many Whigs will now take their turn upon the spring-board and give us a specimen of ground and lofty tumbling.

I rose simply to call attention to this programme of the future action of the House on these subjects. To advertise the country of what is to take place. To let gentlemen understand that we are not to be taken by surprise, and these important measures forced upon the country by a snap judgment, unforseen by us.

I will further add, that when we saw the selection of the Cabinet, when the present Secretary of State was placed in premiership, we should have foreseen this result. Neither you Mr. Chairman, nor any other slaveholder, has ever gone so far to degrade the North as the present Secretary of State. You, sir, have been long in this Hall, you have been devoted to the interests of the South, but you never dared—no, sir, I will not use the term *dare*—but you never felt it in your conscience to ask of the free States some eighty millions of dollars to compensate Virginia for the surrender of her northwest territory to freedom. In this respect, Mr. Webster has fairly outstripped even the slaveholders. His propositions in the Senate during the present session, are odious and offensive to the people. He is now the master spirit of the Administration. He has stamped his image and superscription upon its policy. It will prove that handwriting upon the wall: "Mene, mene, tekel upharsin" is already inscribed upon its policy.

I am aware, Mr. Chairman, that you southern men hold your caucuses almost nightly, agree upon your measures, and unite your efforts to subject the North to your views. I do not blame you. If I were a Southern man and believed as you do, I would take measures to maintain Southern interests. Not so with the Northern members. They cannot be rallied; I have done what I could to arouse them to action. They are divided. One is of Paul, another of Apollos, and another of Cephas. Divided and paralyzed, they appear incapable of effort.—And never, sir, were the rights of the North in greater jeopardy. I would that my voice could reach the ear of every Northern elector; I would tell him to arouse to the support of his own rights—to gird on his political armor, and to speak in commanding tones to these servants of the people, and bid us to act for truth, justice, the Constitution, and for mankind.

Mr. G. having concluded—

Mr. JONES obtained the floor, and addressed the committee. He said:

Mr. CHAIRMAN: On a former occasion, when the first one of the general appropriation bills, proposed to be passed for the year ending June 30, 1851, being the Military Academy bill, was under consideration, in a few remarks which I submitted on that occasion, I called the attention of the House to the enormous amount of money required by the Administration for the fiscal year commencing July 1, 1850, and ending June 30, 1851, as shown by the estimates of the Secretary of the Treasury, and the bills actually reported by the Committee of Ways and Means, amounting, in the aggregate, to over the sum of $51,000,000. This I did with a view, but certainly without much hope, of impressing upon the House the very great necessity and importance of a strict observance of, and rigid regard to, the principles of economy, in acting upon the appropriation bills of the session. I had no other object in view, I assure you, sir. I know myself well enough to know that I am incapable of misrepresenting the facts in this or any other case knowingly. This amount asked for by the Administration for the service of the Government for one year, was truly startling in itself, and did not fail to bring to his feet the Chairman of the Committee of Ways and Means, [Mr. Bayly,] who controverted the correctness of statement, and thus averted its influence upon the House and country. Upon that occasion he said, "that, in his opinion, the statement read by his colleague on the Committee of Ways and Means, [Mr. 'Jones,] was calculated to produce an erroneous impression upon the House and the country; stated that 'from the aggregate amount of the appropriations to 'be provided for during the present fiscal year as 'estimated by the gentleman, $5,444,000 for the 'Post Office Department, (which was supported by 'its own revenue and not from the general Treasury,) and $5,656,000—but being the amount of 'unexpended balance of former appropriations—'should be deducted; so that from the aggregate estimated by the gentleman, some $11,000,000, in 'round numbers, should be deducted; making in 'round numbers $40,000,000 instead of 51,000,000 'expenses to be provided for during the current fiscal year."

The gentleman has, several times since that, when the estimate which I submitted has been referred to in debate, denied its correctness, declaring that I was wholly mistaken. Under the circumstances I feel called on to say a few words and submit a few facts, in vindication of the statement heretofore made to the House. The Chairman of the Committee of Ways and Means said that from the aggregate of appropriations as estimated by me, "$5,444,000 'for the Post Office Department, (which was supported by its own revenue and not from the general 'Treasury, and 5,656,530 34—being the amount of 'unexpended balances of former appropriations—'be deducted." I admit that 5,215,167 of the Post Office appropriations are derived from the revenues of that Department received for postages; but the balance, $228,490, was changed by the action of the House, and appropriated out of the general Treasury, instead of out of the Post Office revenues, as proposed by the Committee of Ways and Means. But the fact that the sum of $5,215,167 is appropriated from the revenues of the Post Office Department for its own support, does not change the fact that this sum is drawn from the people—the productive industry of the country.

With respect to the $5,656,530 34 of unexpended balances of former appropriations, which the gentleman said should be deducted, I consider that as much a part of the estimates and as much raquired to be provided for during the year, as any other item of the estimates submitted by the Treasury Department, as by reference to those estimates will most clearly and satisfactorily appear, as I humbly but confidently believe.

"*Page 3, Report on the Finances*, 1849-50:

"The estimated receipts and expenditures for the fiscal year commencing July 1, 1850, and ending June 30, 1851, are—

Receipts from customs	$32,000,000
" " public lands	2,150,000
" " miscellaneous sources	3,00,000
	34,450,000

"The expenditures during the same period, as estimated by the several Departments of State, Treasury, War, Navy, Interior, and Postmaster General, are—

The balance of former appropriations, which will be required to be expended this year	$5,656,530 34
Permanent and indefinite appropriations	5,643,410 24
Specific appropriations asked for this year	35 667,152 15
	$44,997 092 73
Deficit July 1, 1851	$10,547,092 73
Deficit July 1, 1850	5,823,121 66
	$16 375 214 39"

From these figures, taken from the report of the Secretary of the Treasury, it appears he wants the sum of $44,997,092 73 to be expended in carrying on the various branches of the public service for the present fiscal year. Of this amount, however, he informs us that he has $5,656,530 34, appropriated by former acts of Congress, but which he also tells us, "will be required to be expended this year." And being required to be expended this year, will have to be taken from the current revenues of the year, as much so as any portion of the sum which are required to appropriate specifically for the same. The one amount is just as much required to carry on the public business as the other. The only difference between this amount and the amount of $33,697,152 15 to which we are now called upon to appropriate being this: the former amount having been appropriated by former acts of Congress, is not required to be re-appropriated. With regard to the necessity of the two sums for the public service, and the sources from which, and the time at which they are to be provided and derived, they stand upon precisely the same footing. That this amount of former appropriations will have to be provided from the current revenues of the Treasury, is conclusively shown, as I think, by the estimates of the Secretary of that department, from which it will be seen that there will be at the end of the year a deficit of $16,375,214 39. In this last estimate I hope the actual business of the Treasury will not verify the correctness of this estimate; and that, instead of the estimated deficit, the receipts will at least be equal to the expenditures. But a result so desirable must be looked for in an increase over the estimated receipts into the Treasury by the Secretary, rather than any stringency on the part of Congress in making the appropriations, or of any special economy on the part of the Executive Government, in the expenditure of the money which shall be appropriated. I might still further vindicate and establish the correctness of my former statement, by taking the sum estimated for by the Secretary, and which has certainly not been reduced by the committee | $44,997,092 73 |
Add to this the additional sum rendered necessary by the increase of the rank and file of the army	1,076,901 10
And the excess over the estimates, reported by the Committee on Commerce, for rivers and harbors and light-houses	1,164,080 00
And we have the moderate sum of	$47,238,073 73
To this add Post Office estimates	5,215,157 00
Thus showing the sum of	$52,453,240 73

as the anticipated and proposed fiscal or monetary operations of this Government for one year.

Here I might rest this statement, confident, as I am, that the facts and figures which I have submitted will stand the test of the strictest scrutiny, and remain as a triumphant vindication of my former statement as to the aggregate amount of money required to be drawn from the people, to carry on the operations of the Government for one year.

But again, the gentleman from Virginia, (Mr. BAYLY,) the chairman of the Committee of Ways and Means, says, the sum of $5,656,530 34 of former appropriations, estimated for in the report of the Secretary, and which he tells us will be required to be expended during the now present fiscal year, should be deducted from the probable actual expenditures of the year; for the reason that there will be at the end of the year, in all probability, as large an amount of unexpended appropriation as this amount now required for the current year. And if so, this will reduce the aggregate amount estimated for that much. It may turn out so, but then it may not; and if it should not, then it follows, of course, that the amount will have been expended during the year. Should an amount of the appropriations remain unexpended at the end of the fiscal year equal to those of the former year, I admit that the actual expenditures from the estimates would be reduced exactly that sum. But then, in all human probability, there will be, at the end of the year, another item, of no inconsiderable amount, to be added to the actual expenditures of the year, which will very nearly, if not quite, swell the actual expenditures of the year to an amount fully equal to the estimates and statements which I have submitted. I allude, of course, to the "*deficiency*" which may appear at the end of the year, and which Congress will be asked to appropriate. Of late, these "*deficiency bills*" have become as absolutely necessary as the regular general appropriation bills.

What, sir, has been done in the way of appropriating money to supply the deficiencies in the last year by Congress? First: by "A resolution limiting the expenses of collecting the revenue from customs for the present fiscal year, approved February 14, 1850, there was appropriated $1,225,000 for the half year ending June 30, 1850," together with 'such sums, in addition, as may be received from 'storage, cartage, drayage, and labor, for said half 'year, and in that proportion for any shorter or longer time, until Congress shall act upon the subject." I have not the means of ascertaining the precise amount which may be received from "storage, cartage, drayage, and labor," for that half year; but by reference to the Report on the Finances, 1849-50, being Executive document No. 4, to the present session, page 913, will be seen "Statement of receipts and expenditures on account of public warehouses, during the fiscal year ending June 30, 1849;" from which it appears that the amount received for that year from the sources specified in the resolution, was $172,347 26. Taking this as a basis in estimating the amount received in the half year ending June 30, 1850, and which by the resolution is appropriated, we have the sum of $86,173 63; which, added to the $1,225,000 specifically appropriated by the resolution, will make | $1,311,173 63 |
To this add amount contained in deficiency act approved May 15, 1850	2,675,501 33
And amount of judiciary deficiency	50,000 00
	$3,936,674 96

This joint resolution not only appropriates the amount necessary to defray the expenses of collecting the revenues from customs for the half year therein specified, but it also appropriates in the same proportion for a shorter or longer time, until Congress shall again act. Estimating the receipts from storage, cartage, drayage, and labor, as I have, the permanent annual appropriation made by the resolution of February 14, 1850, to defray the expenses of collecting the revenues from customs, is $2,622,347 26, being $127,652 74 less than the sum estimated for by the Secretary of the Treasury. To go a little back, I think the balance of unexpended appropriations remaining at the end of the fiscal year may, as a general rule, be offset by the deficiencies which appear at the same time. Sometimes the one will appear the larger, at other times, the other item will be the larger. The only data we have of the amount which may be required in the year, is the estimates of the Executive branch of the Government. By a retrospective view of the financial operations of the Government, I think it will rarely be found that the expenditures have fallen below the estimates which the proper officers have told Congress would be required for any given period."

Mr. Chairman, I might here rest my remarks, confident that I have fully and fairly vindicated my former statement to the House and the country, as regards the amount of money which is required by the Administration for the current fiscal year, and which, from all the indications I have seen, I am reluctantly constrained to believe that Congress will grant. I may also indulge the hope, that what I have said will induce the friends of economy—those who are the real friends of republican government, and desirous of proving their faith by their works, by relieving the people, the toiling masses, who pay the taxes, and do the *actual* fighting when required, from all unnecessary burdens—to arouse from their lethargy and come to the rescue, examine those required appropriations, lop off the unnecessary parts, and save their constituents from a portion, at least, of the onerous taxes which will be required to pay the amount.

I will now refer again to the various bills reported by the Committee of Ways and Means and the Committee on Commerce, proposing to appropriate the full amount asked for by the Administration, if not more. Some of these bills have already passed, others will pass. Some, however, I hope will not. This hope applies only to the bills reported from the Committee on Commerce; and even these would certainly pass but for the protracted length of the session, the mass of more important business of Congress yet undisposed of, and the great anxiety of members to leave this city for their respective homes.

All the bills reported from the Ways and Means will, I doubt not, pass—none of them, however, with less amounts than those they contained when reported by the committee. Indeed, it is to be feared that the amounts in most of them will be greatly augmented. Such a result is altogether probable with regard to the army and navy bills, and also the Indian bills; but more particularly is such a result to be apprehended with regard to that great *omnium gatherum*, the civil and diplomatic appropriation bill—the real Congressional omnibus, in which so many unworthy passengers (private claims and improper appropriations) endeavor to secure through tickets, and who, I regret to say, have heretofore proved too successful. I now call upon the drivers, and those having charge of the vehicle, to guard it strictly, and see that none take seats in it but such as have an indisputable right, under some existing law.

These various bills and items are as follows:

For Military Academy	$198 505 47
" Revolutionary and other pensions	1,396 172 50
" Naval pensions	43 000 00
" Fortifications	747,000 00
" Expenses of Indian Department	1,248,897 17
" Civil and Diplomatic expenses	9,695 812 05
" Naval service	9,427,852 47
" Army proper, including additional estimates submitted by the Secretary of War in consequence of the increase of the army	7,896,284 00
" Rivers and Harbors, (from Committee on Commerce,)	1,899,500 00
" Light-houses, &c. (do. do.)	288,800 00
Am't of bills reported and army estimate	$32,841,735 26
Add amount appropriated for collection from customs—(Resolution February 14, 1850)	2,622,347 26
	$35,464,181 52
Add permanent appropriations	5,643,410 24
" former appropriations, which the Secretary tells us will be *required to be expended this year*	5,656,530 34
Making the *moderate* sum of	$46,764,122 10
Add to this amount the sum required for the service of the Post Office Department, and which is drawn from the people, and constitutes a part of the fiscal operations of the Government	5,443,637 00
Thus making the aggregate sum of	$52,207 759 10

required by the administration to carry on the various branches of this Government for the year ending June 30, 1851. The expenditure of this amount, exorbitant as it seems to me it is, and as it will be considered by the country—Congress, the representatives of the people and constituted guardians of their public moneys, propose to countenance and authorize, by the passage of acts appropriating so much thereof as is not already under the control and at the disposal of the Executive officers of the Government, included within the items of "permanent and indefinite appropriations" and "balances of former appropriations." Estimating the entire population of the United States, at this time, at 20,000,000 of souls, and it will be an average of over two dollars and fifty cents to each individual of every class, sex, color, age and description. Far be it from me, sir, to entertain or express an idea disparaging in the slightest degree the manifold and inestimable blessings which the people in every portion and section of this extended Confederacy possess and enjoy, from having its broad ægis extended over them. No, sir, no; it is the richest inheritance ever bequeathed from sires to sons. That it may not only continue unimpaired, but improved and improving "till time itself shall be no more" is the sincere and devout prayer of the humble individual who now addresses you.

But I do intend to say, because I believe it, that this Government should be administered, and all its advantages and blessings secured to and enjoyed by those for whose benefit it was established, and should be perpetuated for a much less sum of money—money drawn from the hard earnings and stinted comforts, if not limited necessaries, of better men and citizens than many of those upon whom it is lavished with a prodigal hand, that they may luxuriate in the splendid and extravagant circles of Government sinecures. I intend to declare, as my well matured and settled conviction, that this Government should be administered in all its vigor—all its purity—fully accomplishing each and every one of the great objects intended to be secured by its *patriot* founders, for less than half the amount which I have shown is required by those now charged with its administration. Its ordinary expenses should not, in my opinion, for every branch of the public service exceed twenty-five millions of dollars. It has been said that "governments are so far republican as they embody the will of the people and carry that will into practical operation." It might with equal truth be said that the freedom of the citizen is secured, in exact proportion to the protection of his natural rights.

promotion of his happiness. But as many individuals are incapable of protecting themselves in the exercise of all those rights against all other persons communities are formed and governments established. Our theory is, that "governments are established for the benefit of the governed." This, I believe, is correct and should be carried into practice How, I may be asked, can it be accomplished? I answer, by bringing the government to its legitimate and originally intended functions and objects. By securing to the people collectively and individally, in every part of the country, all the advantages and protection for which they can legitimately look to this government. To secure this, have as few officers as possible—let all the operations of the Government be simple, and intended alone to accomplish the purposes for which it was designed—calling upon the people for the smallest amount or proportion of the fruits of their toil, by the judicious and economical expenditure of which the Government could be successfully administered, and its blessings and advantages extended to and enjoyed as equally as possible by all.

Some of the gentlemen upon this floor, it seems to me, have their entire sympathies enlisted in behalf of the African slaves in the southern States of this Union, and all their energies are exerted for the amelioration of their condition. Why is this, and what is Slavery? Slavery, as I understand it, is that condition in which an individual is subject to the will of another, in which condition he cannot appropropriate the products of his labor to his wants and comforts, but the individual to whose will he is subjected, controls not only his personal actions and gives direction to his employments, but also exercises unlimited control over all the earnings and products of his labor—allowing so much thereof as he thinks proper to the wants and necessities of the individual over whom he has this control; the balance, if any, he appropriates to his own wants and comforts, and not unfrequently to extravagant indulgences and excesses. This, sir, I understand to be Slavery; and every individual is just so far subjected to that condition, in proportion to the amount of his labor which is required and taken from him with his consent, if you please, to minister to the wants, comforts, and excesses of others. Man, by the labor of his hands, can produce or make but little beyond his continually-recurring wants. And when an individual is seen possessed of great wealth, enjoying not only all the necessaries of life, but all the luxuries that idleness and the ability to command can conceive, it may be put down as a fixed fact, that so great wealth was not the produce of the labor of the hands of its possessor, nor of any other one individual, but was and is the aggregate earnings, perhaps of thousands of honest, industrious good citizens, gathered and accumulated by the wiles, the arts, the wits and superior sagacity of some successful trader or speculator; or perhaps by some fortuitous circumstances or special good look; and not unfrequently by the action of the Government, by conferring special privileges or giving fat jobs and good contracts.

There are two classes of persons in the United States—the tax-payers and the tax-consumers. The former class is much the larger in numbers. If we could have exactly the right number of the latter, and pay them precisely a just compensation for their services, perhaps there would be no conflict of interest between the two; but that would make a great difference in the amount annually drawn from the tax-payers to support the tax-consumers.

What, let us inquire is the probable annual average profits of the laboring men of the United States. I have no data upon which I can rely with certainty. But I will suppose that the average annual profits of each laboring man in the United States, after supporting himself, to be *one hundred dollars*; and this, I feel confident, is an extravagant estimate, far above what is realized on an average But I desire to be above rather than below the true estimate. Then suppose there are four millions of laboring men in the United States, to say nothing of women and children: the aggregate annual produce of their united labors, over and above their own support, would be, upon the basis I have assumed of $100 to each man, $400,000,000. I have shown that the Government requires over $52 000,000 from the people to carry on its operations for the present year: this is over one-eighth of the aggregate clear earnings of these four millions of laboring men for the same period, and would require every cent of the surplus earnings over their support, of five hundred and twenty thousand of these laborers. Now suppose that, instead of the four millions of laborers there were but five hundred and twenty thousand, the precise number to produce, over their support, the fifty-two millions of dollars required by the Government, and the Government should require that amount of those five hundred and twenty thousand laborers and tax-payers I submit to every man of good, plain, sound, practical common sense, if, under such circumstances, the five hundred and twenty thousand laborers would not be as fully and as completely the slaves of the Government, its employers, the tax consumers, as the Africans on the plantations of the South are the slaves of their masters This is so plain that the position cannot be successfully controverted. This position being, then, established, although there are no specific five hundred and twenty thousand of these four millions of laborers and producers set apart and designated as the individuals from whom this fifty-two millions of dollars is drawn, to be consumed by the Government, does not alter the fact that, to that extent and in the proportion of five hundred and twenty thousand to four millions, they are slaves to the Government. In other words, that one eighth part of the annual earnings of each one of these four millions, over his bare subsistence, is drawn from him for the support of the Government. It follows, of course, that while no one individual of the four millions of tax-payers is made, by the operation of his Government, completely and absolutely a slave, it is equally clear, that each one of the four millions of tax-payers is one eighth a slave, or in exactly the proportion of the portion of his earnings above his support which his government requires him to contribute to its support. If I am correct in this, it does seem to me that gentlemen on all sides of this House might find ample fields for the display of their philanthropy, in ameliorating the condition of their own race and kindred, their brothers, friends, and fellow-citizens for whose benefit alone this Government was established, and for whose benefit only it should be administered in perpetuity. How, I may be asked, can this be done? By reforming the Government in the reduction of taxes: by reducing the amount required by the Government; by abandoning the impolitic, extravagant, and unconstitutional system of ocean steam mail service, by which the Government is contributing in a great degree to break down all competition, and monopolizing the carrying trade upon the high seas in the hands of a few companies, the favored contractors of the Government; by reducing your military establishment to what it should be in time of peace, instructed as we are, by our experience in the late contest with Mexico, that even in time of war the chief reliance of the Government must be upon the citizen soldiers of the country; by reducing your navy to the actual wants, and necessities of the country,—if the knife could be applied to this branch of the public service by a judicious hand, it could as I confidently believe, be reduced without prejudice to the country, or any one of its great interests, from the annual cost of over eleven millions of dollars now required for its support to less than half that sum. And by all means there should be rigid and thorough reform and reduction in almost all the branches of the civil department, commencing right here in this body composed of the people's chosen Representatives, and in the other end of this Capitol, where there are as flagrant abuses and as wasteful expenditures of the public moneys, under the head of the "contingent fund" of the respective houses, as anywhere else. I will give one instance: the contingent fund of the Senate, appropriated for the present session, is $288,000: and that for the House of Representatives the moderate sum of $311,999, and making, together, $599,999 —something like three times as great as the entire cost of the State government of Tennessee, including her Executive, Legislature and Judiciary. Your salaries should be equalized—not upon the principle that has found almost universal favor with Congress, that of increasing the salary of some favorite upon the plausible pretext of long experience, unequalled in qualifications, sincere devotion to the public interest, and a faithful discharge of his duties; and not unfrequently the more powerful appeal is made of a large and dependent family —still growing. The efforts of friends to increase the salary of a favorite, based upon such arguments and considerations, seldom fail of success. The object once accomplished, it is then urged, with equal zeal that the salaries of those who occupy similar positions should be made equal by increasing them to the same amount. The magnanimity and sense of justice of members are appealed to, and the great principle of equality urged; the thing is done—the end attained, by levelling up. In the whole course of my seven years' experience in this House, I have no recollection of an instance in which salaries have been equalized, by leveling down the one or two favorites to the plain upon which his equals stand. This is a system by the operation of which the tax-payers suffer, and the tax consumers are invariably benefitted.

But that is not the kind of equalization which I advocate. I think that the several State Legislatures are the best judges of the amount of compensation which should be paid to the various public officers, within their respective limits. I would take their action as a standard. But I would not blindly adhere to it. I would, however, assimilate the salaries of persons in the employ of the United States, as nearly to those of whom similar services in the respective States are required, as sound discretion and experience would seem to justify. At present there is too great a disparity in the salaries of State and of the United States officers of almost every description I would rejoice to see them more nearly approximate equality by the downward levelling policy. It would have a salutary influence upon our country and its institutions. Many of those who now seek employ under the United States, because of the greater amount of compensation to be received, would, under the altered state of things, prefer to take office under their State, where they could be at home and among those they loved and appreciated. States rights, and through the States the rights of the citizen would be more closely watched and rigidly contended for; and the power of the General Government, and its encroachments upon and assumption of the rights reserved to the States and to the people, would be more vigilantly guarded against and energetically resisted than at present. The great Federal car would be compelled to keep on her own track—the one prepared and laid for her by the people and by the States in 1787. Surely "a consummation most devoutly to be wished for." There are various ways by which, in my opinion, the expenses of the Government can be greatly reduced in the civil department, without detriment to the public interests.

I will now return to the consideration of the laboring producer; and upon the basis which I assumed, give a few instances, to show how many of them are required to toil continually to contribute the aggregate amount of the various salaries paid by the Government employees. For instance, the salary of the President is twenty-five thousand dollars. Upon the supposition that each producer can earn one hundred dollars a year more than is required to support him, it will require every cent of the clear earnings of two hundred and fifty of these laboring men, these producers, these tax-payers, who are, according to our theory, the real sovereigns of the country, to pay this presidential salary. Thus are two hundred and fifty freemen of America made slaves to the President, or in that proportion of the productive industry of the country.

Take the case of a head of one of the Executive Departments, whose salary is six thousand dollars, and upon the same basis, sixty laboring men of the country are made his slaves by operation of law. And for the support of the head of a beareau, whose salary is three thousand dollars, the entire clear earnings of thirty good men are annually required. The same rule will apply through all the branches of the public service. A chief clerk, with a salary of two thousand dollars, consumes the surplus products of twenty citizens. The clerk with a salary of one thousand dollars *only*, requires what is equal the clear annual profits upon the labor of ten men. And, sir, two men, at annual pay of three hundred and sixty-five dollars each, authorized by an act passed at the present session, to loaf in the shade, and watch the grass in the public grounds around this Capitol, are to have out of the public Treasury what is equivalent to the clear earnings of more than seven men, who are certainly as good by nature, and far better by practice, I am certain will not be denied. The pay of Senators and Representatives is eight dollars each per day, and eight dollars for every twenty miles, by the usually travelled route, in going to and returning from the seat of Government The present session to and including the month of August, now half gone, will be two hundred and seventy-two days, and the pay of each member for the session to that time will be two thousand one hundred and seventy-six dollars, from which it will readily be perceived that each member of Congress, while the body remains in session, is appropriating to himself the aggregate clear earnings of the labor of about twenty-two of his fellow-citizens, exclusive of what he receives for mileage, which in a few instances exceeds the *per diem* pay of the member. This, it seems to me, should prompt each and every one of us to devote ourselves diligently to the discharge of our public duties, and the speedy dispatch of the important measures before us, and upon the fate of which many think depends the weal or woe of this highly-favored land

I could multiply instances from the Army and Navy, to prove the positions I have taken, but I will not. It is only necessary, in order to ascertain what portion of the productive industry of the country it takes to keep in the public service a public officer or to defray the cost of any branch of that service, to ascertain what is the salary of such officer, or what is the amount of expenditure to the particular branch of the service, and apply the rule, and the thing will ascertain itself I do not pretend that the position which I have assumed can be verified with mathematical precision, but as a basis upon which may be ascertained how and by what means the Government is carried on, and from whence its resources are drawn; that the whole superstructure is reared upon and supported by the industry and labor of the country—that all its resources are drawn from that fountain; and to warn those whose interest it is, that the Government should be administered for the least possible proportion of their hard earnings, in order to have all the protection and advantages, designed by its establishment, secured in full and unimpaired force; to be on their guard, scrutinize the conduct of their public servants, and hold them to strict accountability for the manner in which they shall dispose of the public treasure; which, after all, is but the compound extract of the bones, the muscles, and the sinews of the working men of the country. Guard well and keep within proper bounds the taxing power and all will be well. Insure economy, prevent the collection of more taxes than just enough to meet the legitimate wants of the Government, and there will be no cause of complaint of extravagant expenditures.

Mr. Cushman, if my memory serves me aright, I think it was remarked in the course of debate upon one occasion during the present session, by the gentleman from Louisiana, [Mr. Morse] that it appeared to him that I voted upon every appropriation, exactly as if the money was to come out of my own pocket. In this he was slightly mistaken. The money in my pocket is my own, and for its expenditure I am not responsible to a solitary human being. I am so unfortunate as not even to have a better half to whom to account for my expenditures. Not so with the public money that belongs to the people. I am the representative of a portion of that people. They have confidence in me, or they never would have placed me here. They have given too many evidences of that confidence and their kindness to require any new evidence. My desire is, and has been, to serve *the people*, honestly, faithfully, and in strict accordance with their will and interest. I am with them and of them; I am identified with them by birth, by education, by association, in feeling and in interest; in short, by every tie that can bind man to his fellow-man. They took me from the humble walks of private life, where my lot had been cast, where I was obscured by that great mass, of which I was but a constituent alone, and invested me with their confidence, and the right to represent them in the State Legislature, and afterwards in this body. From first to last I have never percieved the least abatement in the ardor in manifesting their continued confidence in me at each succeeding election. And should the time ever come when their confidence and support shall be withdrawn from me, I shall bow to that judgment with as much respect as I have on former occasions hailed with joy and gratitude their oft-repeated plaudits, of well done thou good and faithful servant—with the consciousness, that such judgment, if ever given, will be the result of honest convictions that their interest and the public good imperiously demand it of them. To that people I am responsible for the manner in which I vote away their money, and that responsibility, I trust, will ever be sensibly felt, and exercise a controlling influence over my votes. I trust also, that I am more careful and guarded in the expenditure of that money than I am in regard to my own, and shall ever be. I did not allude to the remark of the gentleman from Louisiana, for the purpose of complaining or retorting on him, but to tender to that gentleman my thanks for the very high (though perhaps not intended, compliment which he paid me.

Mr. Chairman, as the hour allotted to me, under the rules of the House has not expired, I hope the committee will pardon me for making a few remarks upon the great questions of the session, and of the day, more to state my position than to make an argument to sustain that position. My services commenced here with the beginning of the twenty-eighth Congress. At the first session of which, the treaty negotiated by Mr. Calhoun, as Secretary of State, under Mr Tyler, for the annexation of the then Republic of Texas, was rejected by the Senate. That rejection no one regretted more seriously than I did. The proposition to annex Texas to the United States had my entire approbation, and recieved my cordial support from the beginning. Being, to a very great extent, a Southern Democratic measure, it had to encounter not only the united and powerful opposition of the entire Whig party of the North, but, as a party, it was also opposed by the Whigs of the South. At the second session of that Congress, all hopes having been abandoned of accomplishing the object by treaty to be ratified by the Senate, it was consummated by the joint action of the two Houses of Congress, by tendering to Texas propositions for annexation in the form of resolutions. The resolutions, which were accepted by Texas, and thus the measure consummated, were passed by the votes of the united Southern Democracy, many of the Northern Democrats, and a few of the Southern Whigs —eight, I believe, in this House, and two in the Senate Without the votes of our Northern Democratic friends, we never could have brought that magnificent country into this Union. If they had, each for himself, or in the aggregate, contended for certain restrictions and sectional advantages, they could have defeated Texas annexation. But they did not; and at the next succeeding session of Congress, Texas was admitted into the Union on an equal footing with the original States of the Confederacy in all respects whatever.

Notwithstanding she had been annexed, and the faith of this great Government, for her admission into the Union, was pledged, every Whig in both branches of Congress, from the free States, with one solitary exception, voted against her admission. Before the close of that session of Congress this country was involved in war with Mexico, in consequence of the Mexican army crossing the Rio Grande, as I believe, as the Democratic party believed, and as the Whig Senators declared by their votes for Mr. Crittenden's amendment to the war bill. May 12, 1846, invading the territory of the United States and shedding American blood upon American soil. The war was prosecuted successfully by our arms, and closed brilliantly—its history is before the world. By the treaty, under the stipulations of which the war was terminated, the United States acquired from Mexico a large extent of territory, fronting some ten degrees of latitude on the Pacific ocean. It was necessary that these newly acquired territories should have governments of some sort for those who inhabited them. The only difficulty in providing for them such governments was found in the fact, that in the Southern States of the Union, African Slavery existed. The people of the Northern States, where this institution formerly existed, but had been long since abolished, were many, in fact most of them, opposed to the extension to, or toleration of, that institution in any part of these territories. The Democratic party, and the South generally, planted themselves upon the position that the General Government should not interfere in the matter one way or the other; that the doctrine of non-intervention with regard to Slavery in the territories was the true policy, and the only ground upon which the North and the South could meet and stand together —leaving the question of the existence or non-existence of Slavery therein to be settled by the people who should inhabit the country. As I then understood it and now advocate it, that the people—not the Mexicans and Indians there—but the American citizens, occupying the country as a territory, or when they should come to form a constitution and State Government, should settle this question of Slavery, and all other questions of local domestic policy for themselves, just as all other American citizens do, and have an inalienable right to do. Upon the principle of non-intervention many were willing to organize temporary or territorial governments for those countries immediately after their acquisition. In order to effect that object, a committee was appointed by the Senate to which was referred the whole subject. On the 18th day of July, 1848, that committee, through its chairman, reported to the Senate "A bill to establish the territorial governments of Oregon, California, and New Mexico," known as the Clayton compromise. The 12th section of that bill was amended so as to read as follows:

"That the existing laws now in force in the Territory of Oregon, under the authority of the provisional government established by the people thereof, shall continue to be valid and operative therein, so far as the same be not incompatible with the Constitution and the provisions of this act, for three months after the first meeting of the Legislature in said Territory, subject, nevertheless, to be altered, modified, or repealed by the Legislative Assembly of the said Territory of Oregon; and the Constitution and laws of the United States are hereby extended over and declared to be in force in said Territory, so far as the same, or any provision thereof, may be applicable."

One provision of the laws of the "provisional government established by the people" of Oregon, which was proposed to be reenacted and continued in force for three months from the first meeting of the territorial legislature thereof, was in the following words:—"There shall be neither Slavery nor involuntary servitude in said Territory otherwise than for the punishment of crimes whereof the party shall have been duly convinced." This was a full, ample, and unequivocal recognition and affirmation of the correctness of the two great doctrines of non-intervention on the part of Congress and the right of the people of the territory to legislate upon and control their own domestic and local policy. It must be borne in mind, that by the provisions of this bill the legislative authority of Oregon was vested in a Council and House of Representatives, to be chosen by the free white male citizens of the United States, and those who had declared on oath their intention to become such, above the age of twenty-one years, and who should at the passage of the act be resident in said Territory. At the first election the qualification of voters and the eligibility to office should be prescribed by the Legislative Assembly. Thus it was proposed to cast, or rather recognize in these people of the Territory, the right to exercise the highest attribute of sovereignty.

From the character of the population in California and New Mexico at the time being chiefly Mexicans and Indians, it was deemed inexpedient and impolitic to vest the legislative powers in an assembly to be chosen by the inhabitants. But, until otherwise provided by Congress, it was proposed in the bill to be vested in the governor, the secretary, and the judges of the supreme court of the respective Territories, who were to be appointed by the President, with the advice and consent of the Senate. With the legislative power thus proposed to be vested in a tribunal wholly irresponsible to those over whom they were to exercise the important functions of legislation, it was wisely determined on to prohibit that body from passing any law "*respecting* the prohibition or establishment of African Slavery" in each of the proposed Territories of California and New Mexico. These with ample provisions for taking appeals from the territorial courts to the Supreme Court of the United States, in cases in which personal freedom was involved, constituted the main features of the bill touching the question of Slavery. The bill passed the Senate July 26, 1848, eight days after it was reported, Messrs. Atchison, Benton, Berrien, Borland, Butler, Calhoun, Clayton, Davis of Mississippi, Downs, Foote, Houston, Hunter, Johnson of Maryland, Johnson of Louisiana, Johnson of Georgia, King, Lewis, Mangum, Mason, Rusk, Sebastian, Spruance, Turney, Westcott, and Yulee—25 Senators from slave States; and Messrs. Atherton, Breese, Bright, Dickinson, Douglas, Hannegan, Phelps, and Sturgeon—8 free States Senators voting for and passing it. Four slave ate and eighteen free State Senators voting against it.

This bill was defeated in the House of Representatives by being laid on the table, July 28, 1848, by yeas 112, nays 97—eight slave State votes and one hundred and four free State votes in the affirmative, and seventy-six slave State votes and twenty-one free State votes in the negative. I was for that bill—desired its passage—voted against its rejection—regretted its loss, because I believed it would prove a misfortune to the country, by keeping those deeply interesting and highly exciting sectional questions open to agitate and distract the whole country. I was for it, because it proposed to settle the whole question, and all our difficulties growing out of the territorial question and its connection with Slavery—not temporarily, but permanently and forever We have all seen and felt the evil consequences resulting from a failure to pass that bill. It is unnecessary for me to recapitulate them.

The unexpected discovery of the rich and, from accounts, inexhaustible gold mines of California, attracted our fellow-citizens from the States to that country in unprecedentedly large numbers. The American population now in California, judging from what I know of those who have gone there, I hazard nothing in saying is not only unsurpassed, but is unequaled by any population ever before seen in a new country of equal numbers on this or any other continent. This population could not long remain without government of some sort. Congress having failed to furnish a government for the country, these people, with, if you please, the improper and unauthorized interference of the President, formed a constitution and State government, and are now knocking at the door of the Union for admittance into the family of States. Shall she be admitted? is the grave and important question now before this Congress for its decision. Early in the present session, a committee was appointed in the Senate, composed of thirteen able and experienced statesman, selected equally from the two sections of the country, as well as from the two great political parties into which the country is divided. This committee, thus constituted, had the confidence of the entire country—of all sections and parties, with the exception, perhaps, of the Free-Soilers and Abolitionists All eyes were turned on them for some measure in the support of which all patriots—all who loved their country better than themselves, could unite. They reported a bill providing for the admission of California, the organization of territorial governments for Utah and New Mexico, and for the adjustment of the boundary between the State of Texas and the United States territory of New Mexico.

This bill was hailed by many with joy. They looked to it as the basis upon which all our differences might be adjusted, and fraternal feelings restored With some modifications which I specified on giving notice to this committee, the 5th of June last, I should offer this bill in a modified form at the proper time, in lieu of the bill offered by the gentleman from Wisconsin, (Mr. Doty,) and then pending before the committee, for the admission of California, I was for the bill, and desired its passage. But it has been defeated in the Senate—slain, as I think, in the house of those who should have been its friends. The omnibus having broken down, and dropped the passengers by the way-side, I am willing and in favor of picking them up, and conveying them through their congressional journey, pretty much in the condition in which they were when sitting together in the omnibus. I will vote for the Utah territorial bill as it passed the Senate and came to this House, because it is silent upon the subject of Slavery, that is non-intervention I will vote for the bill proposing to settle the question of boundary with the State of Texas, as it passed the Senate; not because I believe it gives to her all the territory to which she is entitled, for I believe that as against this Government her title is "clear and indisputable" to the Rio Grande from its mouth to its source, but because I believe the bill provides ample remuneration for all the territory or land which is proposed to be ceded by her to the United States; and in her present attitude, and the circumstances by which she is surrounded, I am rather inclined to the opinion that ten millions of dollars will be more acceptable, as well as more available in her hands, than all the land she may cede to us; and further, because I believe that Texas will retain unimpaired, as provided in the resolutions of annexation, the right to form four additional States out of her territory, each one of which it is provided shall be admitted into the Union with or without Slavery, as those asking admission shall desire.

I will also vote, when the opportunity shall be offered, for the New Mexico territorial bill, as it was at the time of the defeat of the compromise in the Senate, for the same reasons which induce me to support the Utah bill. These measures all passed, I will then vote for the bill to admit California. Or I am willing to take them up and pass them in the order in which the Senate shall send them to us. I would prefer that the State of California, as proposed to be made by her constitution, should be divided, and a territorial government, upon the non-intervention principle, be organized for the southern portion thereof. Not that my section would be ultimately benefitted, in my opinion, by such division, for my convictions are, that if two States shall be made out of California, instead of one, that both will be free States, and it will be better to have one than two free States. In this I am governed entirely by what I believe to be the wish of my constituents, and the southern people generally.

Under similar influences I am ready to vote for the Missouri compromise, and settle these vexed questions, now and forever. At the same time declaring that, in my judgment, the Senate's defeated compromise is as much better than the Missouri Compromise, as entire and complete non intervention is better than half non-intervention and Slavery prohibition, or half *Wilmot proviso*—which is the same thing. For after all, the Missouri compromise was nothing more nor less than non-intervention south of 36 deg 30 min. north latitude, and the Wilmot proviso north of that line, as will fully appear by reference to the eighth section of the act of Congress, entitled, "An act to authorize the people of the Missouri Territory to form a constitution and State government, and for the admission of such State into the Union on an equal footing with the original States, and to prohibit Slavery in certain territories," approved March 6, 1820. That section is in these words:

"That in all that territory ceded by France to the United States, under the name of Louisiana, which lies north of 36 deg 30 min. north latitude, not included within the limits of the State contemplated by this act, Slavery and involuntary servitude, otherwise than in the punishment of crimes whereof the parties shall have been duly convicted, shall be, and is hereby, forever prohibited: *Provided, always* That any person escaping into the same, from whom labor or service is lawfully claimed in any State or territory of the United States, such fugitive may be lawfully reclaimed and conveyed to the person claiming his or her labor or service as aforesaid."

There it is, every word and sylable, of the much talked-of Missouri compromise. It speaks for itself, and was intended at the time of its passage as a prohibition of Slavery north of the line of demarcation therein designated. I appeal to my constituents, and to the people of the South generally, now that I have, as I think, placed these two measures fairly before them, to say, if I am not justified in the declaration that the Senate's compromise is better, upon principle and practically, than the Missouri compromise. Yet, as before said, I am willing to vote for the latter, believing as I do, "from the lights before me," that it will be acceptable to the South, and, like the former, if passed, would restore peace, harmony, and good feelings to the country, and be an additional guarantee of the perpetuity of the Union.

I will not trespass upon the time and patience of the committee by attempting to elaborate the arguments for and against the positions I have assumed; but will refer to the various speeches of the experienced and distinguished statesmen of this and the other branch of Congress, who have had these questions under almost continuous debate for the last eight months, and by whom has not only been said all that could be said, *pro* and *con*, but has been re-said and circulated over the entire area of this mighty country—into every village, neighborhood, and hamlet, and is, I trust, understood by all.

In conclusion, I will say, that whatever effect these questions; the agitations growing out of them, and their final settlement, may have upon the prospects and fortunes of politicians and statesmen—individuals and parties, sectional or otherwise, I have an abiding confidence that that all wise Providence, who determines the destinies of men and of nations—who was the stay and support of our fathers, in their long and perilous labors to achieve the independence of their country—and who ruled and gave direction to their counsels in forming and finally adopting the Constitution, upon which the Union rests, and under which we have so long enjoyed the rich fruits of their toils and their privations, will so incline the hearts and judgments of the people and their servants, as to result in the speedy settlement of all differences and difficulties, in such manner that it will meet the approbation of the masses —of the millions whose happiness and that of their posterity is involved, and restore peace and quiet to this otherwise highly favored country.

National Anti-Slavery Standard.

Without Concealment---Without Compromise.

NEW YORK, THURSDAY, AUGUST 29, 1850.

THE HIGHER LAW.

The heresy that there is any law, of a higher origin and a controlling authority, contravening the Compromises of the Constitution has been at last duly exploded and penitently recanted. The Grand Inquisitors of the nation have read the Commination Service over it and threatened to deliver over all its advocates to be buffeted. The threats had a due weight, for though the heretics valiantly maintained that the Constitution of the United States was not of itself above all that is called God, but that there was a Power above it; still they admitted that there was no part of it that was not in accordance with the will of the Supreme God and a due carrying out of his laws! The High Priests were content, as well they might be, with this concession. All they wanted was the recognition of the doctrine that Slavery is not a *malum in se*, and that its incorporation with our National Institutions is nothing discreditable to them. This they obtained, in the Senate, as fully as they desired, on the occasion of the Debate on Mr. Seward's motion to admit New Mexico, on the presentation of her Constitution, by the Proclamation of the President. And it was done in a very straightforward and business-like way.

Mr. Pratt, of Maryland, put the matter in a very plain and, as it seems to us, perfectly correct point of view. Commenting on a speech of Mr. Seward, in which he had declared that there was a higher law than the Constitution, which he should obey whenever the two conflicted, he maintained that a man who entered the Senate by means of an oath to support the Constitution and who avowed his intention of not supporting it whenever it appeared to him to come in collision with a higher law, had no business there. And he accordingly intimated his intention of moving for the expulsion of Mr. Seward, or of any other Senator, who should avow such principles. Mr Seward, we are sorry to say, took a course which had very much the look of shuffling, and even John P. Hale talked more like a Mawworm than we had supposed his frank and courageous nature capable of doing. The whole debate will be found in our paper for the 15th instant. Mr. Seward denied having uttered the sentiment, for which he had been enjoying great laud in many quarters at the North, and it was finally whittled down by himself, his friends, and his printed speech, to the very smallest end of nothing.

Mr. Hale, after a fine flourishing speech, as full of piety as a pro-slavery sermon, in which he declared his unqualified conviction that Almighty God was, on the whole, entitled to take precedence of the Model Republic, and inviting the crown of martyrdom upon that issue with the most saint-like devotion, exegetically expounded his doctrine by inquiring whether he had ever been heard to say that he held that that part of the Constitution which recognizes the holding of slaves was contrary to the Divine Law, and did not feel bound to support it!! He had just pompously declared, "Sir, I believe that you have no right *even to bring the supremacy of your Republic* into conflict with THE COMMANDS OF THE MOST HIGH!" Which effusion seems to us a worthy pendent to the declaration of the Correspondent of the *Boston Traveller* (I believe) soon after the accession of Mr. Polk—"that Mrs. Polk was hopefully pious, and *did not hesitate to acknowledge her dependence upon God!*" But if Mr. Hale really believe that the recognition of Slavery and of the trade in slaves, the provisions for restoring them to their hell if they had had the energy and skill to escape from it, and for giving to their masters three-fifths of the political power, which, if all men are created equal, belongs only to them, if he believe that all this does not come in conflict with "the commands of the Most High" and is not "contrary to the Divine Law," we think he had better seriously reconsider his opinions and reflect whether such a Being is worthy the terms of reverence he uses towards him and whether he should excite any other emotions than an Almighty Slavedriver, dreadful only for his despotic power.

Now, the ground taken by Mr. Pratt is precisely that of the American A. S. Society. We entirely agree with him that no man should take the oath to support the Constitution unless he mean to support it, in its historical and adjudged meaning. If he do not mean to do this, he breaks faith with the other party to the Compromises, and has no right to the powers and emoluments of the office he holds under the Constitution. There is no escaping from the corner into which both pro-slavery and Anti-Slavery logic drives the politicians that would try to serve God and the Devil at the same time. Their defect in morality lies in promising to do what they believe to be wrong. Their error in practical common sense consists in their putting on an air of being holier than their neighbors which cannot stand against a breath of scrutiny. It is either right or wrong to send back fugitive slaves. If right, as Messrs. Seward and Hale virtually admit, why all this preaching and grimacing about a "higher law," when that very higher law is coincident with the law of the land? If wrong, there are but two sensible courses to pursue, the one, to refuse to obey the law of the land, as far as it conflicts with God's law, and, of course, to refuse falsely to swear to obey it; the other, to say plainly that though the human law is wicked, we mean to obey it rather than God, and to pray to God to "help us" accordingly as we religiously disobey him. If Hypocrisy be the homage that Vice pays to Virtue, Cant is the language of its liturgy.

Blackstone and Paley and all writers on Law and Ethics teach us that when a human enactment contravenes a Divine Law it is *ipso facto* void, and disobedience is obligatory upon all to whom it is addressed. In all other countries this is well understood and acted upon. In this, it is the main business of priests and politicians to prove by Scripture or by argument, either, that the law of man is of superior obligation to the law of God, or that acts which the moral sense of impartial mankind shrinks from as crimes of the most enormous and the most cowardly guilt, are innocent and praiseworthy. This is owing to the unyielding nature of our iron Constitution and its implacable compromises. Men are met at the threshhold of public life and required to swear to perform certain specific acts before they can put their foot over it. They are then obliged to defend them all on their merits; or, to declare their intention to do them, though they acknowledge their iniquitous character; or to violate their oath, when brought to the test, by refusing to perform them. The idea of refusing to exercise political power when it can only be obtained by a promise to use it for cruel and wicked purposes, seems to occur only to a few fanatics. And yet it seems hard to understand how men, who acknowledge the things done to be wrong, can maintain their integrity and self-respect in any other way, or how, in a country where was in the Supreme Law of the Land, men of honor can exert political power except outside of it, and for the purpose of abrogating it.

Now, they manage these things better in England. At this present moment, Baron Lionel de Rothschild is knocking at the door of the House of Commons, and is refused admittance because he will not abjure the Pretender and his descendants (none of whom exist!) "on the faith of a Christian. A single word keeps him and all his tribe out of the English Senate. So, during the century and a quarter of Catholic Disablilities, what kept the Duke of Norfolk and the Earl of Shrewsbury, and the other Catholic noblemen and gentlemen, out of their share of political power? They had only to acknowledge the Supremacy of the King, and to abjure the Pope, and the doors would have flown open to them. Might they not have taken the requisite oaths, with the internal resolution to break them whenever the course of conduct contemplated by them ran athwart their consciences? They thought not, and preferred to stand outside of the British Constitution, and demand their rights of those that held the power within it—a position precisely analogous to that of the nonjuring Abolitionist. *They* have a right to talk about "a higher law," because they practically recognize its supremacy—not men who believe a slave-catching Constitution as high a law as any; or who, regarding it as immoral, still swear to support it, whether they mean to keep their oath or to break it.—E. Q.

Fugitive Slave Convention at Cazenovia.

We have received no report of the proceedings of this Convention, which assembled on Wednesday last, but learn something of its action from a telegraphic dispatch to *The Tribune*. It seems to have been well attended, chiefly by the Gerrit Smith class of Abolitionists, and to have taken its tone from the recent fugitive-slave case at Washington, and the arrest of W. L. Chaplin Our friend Samuel J. May called the meeting to order, and the following list of officers was soon after nominated and chosen:

President—Frederick Douglass, (colored.)

Vice Presidents—J. C Hathaway, Samuel. R. Ward, (colored,) Miss or Mrs. Frances Hawley, Charles W. Wheaton.

Secretaries—Charles D. Miller, Miss Anna P. Adams.

—A letter was read from Samuel R. Ward declining to participate in the Convention, and Charles B. Ray was nominated a Vice President in his place. A Committee consisting of Beebe Hathaway, Miss Barwell, and Mrs. F Rice was appointed to raise a fund in 10 cent donations to purchase a silver pitcher and two silver goblets to be presented to Mr. Chaplin.

In the afternoon of the first day Joseph C. Hathaway, who, it seems, has recently visited Mr. Chaplin at Washington, stated that he had some trouble to get into the Prison because he was from the North. Mr. C. says he never saw the slaves till the night they got into his carriage. He did not know that they were armed, nor was he armed himself. He admits, however, that he had made arrangements with friends for the abduction. He says he has done nothing but what he is willing to answer for to his God.

Two Addresses were adopted, one to the Slaves of the South from the fugitives at the North, and another to the Liberty Party.

The following is the Address of the Fugitive Slaves to their brethren in the South, and was first adopted at a meeting of the fugitive slaves present, and subsequently by the Convention:

Afflicted and Beloved Brethren: The meeting which sends you this letter is a meeting of Runaway Slaves. We thought it well that they who have suffered as you now suffer, and drank of that cup of bitterness from which you now drink, should come together to make a communication to you. The chief object of the letter is to tell you how we find ourselves, and in so doing you can judge whether the prize we have attained is worth the price of the attempt to gain it. The heartless pirates who compel us to call them masters, who persuade you that those who undertake to obtain their freedom, are worse off than you are at the South, are liars Before we left them they told us that the Abolitionists would take and sell us: but on the other hand, they are the fugitives brethren, and the only complaint is that there are so few of them—most of them are members of the American Anti-Slavery Society and of the Liberty Party. (At this point there was a strong effort made to have the name of the Colonization Society inserted. Mr. Smith strongly opposed it because members of that Society voted for Mr. Van Buren, and it was voted down.) Here we get wages for our labor—we have schools for our children, and can hear and learn the Bible; some of us take great part in civil elections, but most of the priests and churches at the North are in league with the South and are afraid to advocate the abolition of Slavery; including our children, we number here and in Canada 20,000 souls; the population in the Free States are, with few exceptions, the fugitive slaves' friends. (Fred Douglass objected to this, saying no one was a friend of the fugitive slave who would not take him into his carriage and help him on his course, as Chaplin did.] We can do little more for our deliverance than to pray to God for it. We will furnish you with pocket compasses, and in the dark nights you can run away. We cannot furnish you with weapons —some of us are not inclined to carry arms—but if you can get them, take them, and, before you go back into bondage, use them, if you are obliged to take life. The slaveholder would not hesitate to kill you rather than not take you back into bondage. Numerous as the escapes from Slavery are, they would be still more so were it not for the masters' protection of the rights of property. You even hesitate to take the slowest of your masters horses, but we say take the fastest. Pack up provision and clothes, and either get the key or force the lock and get his money and start. We regret to say to you that it is not every one of the Free States in which the fugitives can find an asylum. Last year several were taken back from Pennsylvania. We would not advise you to stop in the District of John McLean, because he is a great man and your enemy: and as he is looking to the Presidency of the United States, he is the Southerner's friend; but the safest place to steer for is New York State. There are three points in your conduct when you come North to which we would call your attention: 1st, Keep clear of all Sectarian Churches that will not preach the abolition of Slavery from the pulpit. 2d, Join no political party, neither Whig, Democratic, Free Soil, nor any other. 3d, Send not your children to white schools, for there are schools for colored children. The colored men of the North turn their backs to Pro-Slavery Churches and political parties. In closing we cannot forget you, Brethren, for we know your sufferings, and our last words to you are, to be of good cheer and do not despair.

The following is an abstract of the Address to the Abolitionists of the North:

Brethren: You are to hold a Convention at Oswego to maintain a candidate for the Presidency, for which office there have been several persons named. Gerrit Smith, Wm. Goodell of New York, and T. Julian Lemoine. Mr. Smith declines in toto, and the others will not say they will except. We therefore recommend the nomination of Wm. L. Chaplin, the champion of the Abolition party, who now lies bound in chains in Washington. Can a man be found more competent? He is a father to the poor, and a friend to the fugitive slave. It will be said that he is a candidate for Lieut. Governor; but if he should be elected for both the term of office of one expires before the commencement of the official term of the other. We recommend meetings to be called in every free State and every County, and let the name of Chaplin be heard in the morning, at noon, and in the evening, and in the by-ways and in the pulpit, as one of freedom's martyrs. Let every voter in the Northern States, at the coming election, vote for no person for Congress who is opposed to the election of Wm. L.

without much resistance. The town is now comparatively quiet.

☞ The election of Mr. Elliott of Boston to fill the seat vacated by Mr. Winthrop in the lower house for a chair in the Senate is hailed by the friends of the extension of Slavery as of good augury. The *Journal of Commerce* thus exults over it:

THE WILMOT PROVISO REPUDIATED BY THE CITY OF BOSTON.—It is a fact worthy of notice, that SAMUEL A. ELLIOTT who headed the Boston letter of thanks to Mr. Webster for his patriotic course in the United States Senate, (which letter was alleged by the Free Soilers, Abolitionists, &c., to express the views of only a small portion of the whole population), has been elected to Congress in the same city by *almost a unanimous vote*. He received 2355 ballots; against 473 for Charles Sumner (Soil) and 318 for all other persons. In the House of Representatives we may safely presume that he will support the same liberal views which Mr. Webster did so ably in the Senate. The following circular, written by him in the month of June last, and addressed to the Massachusetts delegation in Congress, breathes a spirit so admirable, that we cannot resist the temptation to copy it:—

"GENTLEMEN: The political state of the country, we think, justifies and demands the expression of the opinions and wishes of those of your constituents who feel that the nation is in a dangerous position. We see, on every side, an unprecedented excitement of feeling, unfavorable alike to wise counsels and friendly dispositions; and even in Congress we think we perceive an alarming deficiency of the spirit of conciliation and mutual concession. We need not remind you that no controversy can be settled without a large measure of that spirit on both sides. That alone can restore the nation to its accustomed calmness of progress, and give us that beneficent legislation for which Congress was created, and without which there can be neither peace nor prosperity; and we would urge you, by every consideration which can be drawn from the recollections of our history, and the hopes of our futurity, not to be wanting in your share of that temper which will lead to a reasonable adjustment of existing difficulties; to let no pride of power—no desire to obtain advantages, nor to push political rights to an unwise extreme—prevent you from adopting measures which will tend to restore peace, prosperity, and kind feeling. We desire to be represented in Congress as men acting with forbearance. We trust, therefore, that you will be induced to give a ready support to those measures which will most speedily produce, and will longest maintain, the spirit of Union. Respectfully, &c."

☞ A WILMINGTON CORRESPONDENT of a morning paper gives the sequel of the case of the Presidential coachman, whose whole family had been sold at Washington, and who was making an effort there to raise money enough for their repurchase The particular circumstances we stated two weeks since:

You will have noticed that the colored man who was the coachman not only of Gen. TAYLOR, but for his predecessor, Mr. POLK, lately had his wife, daughter and grand-children unexpectedly sold by their owners in this city to a negro dealer in Baltimore. The poor fellow was almost frantic with despair, when his wife and children were borne from him, and still more so when he ascertained that Thirty-two hundred dollars was the smallest sum that would ransom them from captivity and restore them to him. With an energy I never saw equaled, he went to work among the members of Congress, and others holding offices in this city, nearly all of whom knew him; and in the course of the week that he was limited to for purchasing them at that rate, succeeded in raising twenty-eight hundred dollars of the amount. Although the gallant Col. BLISS was among the most liberal of the original contributors, he unhesitatingly loaned the father and husband the remaining four hundred dollars, giving him a year to repay it in, and longer if it became necessary. The poor fellow has returned to this city with his ransomed wife and children, the happiest man I most ever saw. They have each gone back to their old places of service, with hearts so overflowing with gratitude as to preclude their giving expression to their feelings.

TO CORRESPONDENTS.

S. M. Two letters received.

CONGRESSIONAL.

U. S. SENATE—FUGITIVE SLAVE BILL.

The past week has been signalized in the Senate of the U. S. by a debate on the Fugitive Slave Bill of Mr. Mason and of its passage, with some amendments, so far as its endorsement by a vote of 27 to 12. The Bill came up, according to previous notice on Monday, we give below the proceedings as far as they have been reported, from day to day.

MONDAY, Aug. 19th.

Mr. Mason—I propose now to amend the bill by offering a substitute for the whole bill, which embraces the amendment laid upon the table on the 31st January 1850, and printed with the notice that it would be offered as a substitute for the bill. That amendment may probably have been read by Senators, and I will state that I have added to it in substance those amendments that were reported by the committee, and which have just been rejected, with some modifications. I have also an amendment proposed by the Committee of Thirteen, with an addition to it, modifying it, which I have also made.

Strike out all after the enacting clause, and insert the following:

That for the purpose of enabling the citizens of one State or Territory, or of the District of Columbia, to reclaim fugitives from service or labor, who have already or may hereafter escape into some other State or Territory of the United States, as provided for by the third clause of the second section of the fourth article of the constitution of the United States, it is hereby made the duty of the judges of the several district courts of the United States, and of the judges of the superior courts of the organized Territories, as soon as may be convenient after the passage of this act, to appoint, in the exercise of a sound discretion, from among the several persons who may for the time being hold office under the government of the United States, any number of commissioners, not exceeding three, in each county within their respective districts and Territories of the United States, and to cause such appointments to be made out and certified, under their hands and the seals of their respective courts, authorizing and requiring such commissioners to administer all necessary oaths, to examine witnesses, and to hear and determine all causes arising under the said clause of the constitution and the provisions of this act, concurrent with the jurisdiction hereby conferred upon the judges of the circuit and district courts of the United States, in their respective circuits and districts within the several States; and upon the judges of the superior courts of the Territories, severally and collectively, in term time and vacation; and to grant certificates to such claimants, upon satisfactory proof being made, with authority to take and remove such fugitives from service or labor, under the restrictions herein contained, to the State or Territory from which such persons may have escaped or fled.

SEC. 2. *And be it further enacted.* That it shall be the duty of all marshals and deputy marshals to obey and execute all warrants and precepts issued under the provisions of this act, when to them directed; and the better to enable the said commissioners, when thus appointed, to execute their duties faithfully and efficiently, in conformity with the requirements of the constitution of the United States and of this act, they are hereby authorized and empowered, within their counties respectfully, to appoint, in writing under their hands, any one or more suitable persons, from time to time, to execute all such warrants and other processes as may be issued by them in the lawful performance of their respective duties; with authority to such commissioners, or the persons to be appointed by them, to execute process as aforesaid, to summon and call to their aid the bystanders, or *posse comitatus* of the proper county, when necessary to insure a faithful observance of the clause of the constitution referred to, in conformity with the provisions of this act; and all good citizens are hereby commanded to aid and assist in the prompt and efficient execution of this law, whenever their services may be required, as aforesaid, for that purpose; and said warrants shall run and be executed by said officers anywhere in the State within which they are issued.

SEC. 3. *And be it further enacted.* That when a person held to service or labor in any State or Territory of the United States has heretofore or shall hereafter escape into another State or Territory of the United States, the person or persons to whom such service or labor may be due, or his, her, or their agent or attorney, duly authorized, by power of Attorney, in writing, acknowledged and certified under the seal of some legal officer, or court of the State or Territory in which the same may be executed, may pursue and reclaim such fugitive person, either by procuring a warrant from some one of the courts, judges or commissioners aforesaid, of the proper circuit, district, or county for the apprehension of such fugitive from service or labor, or by seizing and arresting such fugitive, where the same can be done without process, and by taking, or causing such person to be taken, forthwith before such court, judge, or commissioner, whose duty it shall be to hear and determine the case of such claimant in a summary manner; and upon satisfactory proof being made, by deposition or affidavit, in writing, to be taken and certified by such court, judge, or commissioner, or by other satisfactory testimony, duly taken and certified by some court, magistrate, justice of the peace, or other legal officer authorized to administer an oath and take legal depositions under the laws of the State or Territory from which such person owing the service or labor may have escaped, with a certificate of such magistracy or other authority as aforesaid, with the seal of the proper court or officer thereto attached, which seal shall be sufficient to establish the competency of the proof, and with proof, also by affidavit, of the identity of the person whose service or labor is claimed to be due as aforesaid, that the person so arrested does in fact owe service or labor to the person or persons claiming him or her, in the State or Territory from which such fugitive may have escaped as aforesaid, and that said person escaped, to make out and deliver to such claimant, his or her agent or attorney, a certificate setting forth the substantial facts as to the service or labor due from such fugitive to the claimant, and of his or her escape from the State or Territory in which service or labor was due to the State or Territory in which he or she was arrested, with authority to such claimant, or his or her agent or attorney, to use such reasonable force or restraint as may be necessary, under the circumstances of the case, to take and remove such fugitive person back to the State or Territory from whence he or she may have escaped as aforesaid. In no trial or hearing under this act shall the testimony of such alleged fugitive be admitted in evidence; and the certificates in this and the first section mentioned shall be conclusive of the right of the person or persons in whose favor granted to remove such fugitive to the State or Territory from which he escaped, and prevent all molestation of said person or persons by any process issued by any court, judge, magistrate, or other person whomsoever.

SEC. 4. *And be it further enacted.* That any person who shall knowingly and willingly obstruct, hinder, or prevent such claimant, his agent or attorney, or any person or persons lawfully assisting him, her, or them from arresting such a fugitive from service or labor, either with or without process as aforesaid; or shall rescue, or attempt to rescue, such fugitive from service or labor, from the custody of such claimant, his or her agent or attorney, or other person or persons lawfully assisting as aforesaid, when so arrested, pursuant to the authority herein given and declared; or shall aid, abet, or assist such person so owing service or labor as aforesaid, directly or indirectly, to escape from such claimant, his agent or attorney, or other person or persons legally authorized as aforesaid; or shall harbor or conceal such fugitive, so as to prevent the discovery and arrest of such person, after notice or knowledge of the fact that such person was a fugitive from service or labor as aforesaid, shall, for either of said offences, be subject to a fine not exceeding one thousand dollars, and imprisionment not exceeding six months, by indictment and conviction before the District Court of the United States for the district in which such offence may have been committed, or before the proper court of criminal jurisdiction, if committed within any one of the organized Territories of the United States; and shall moreover forfeit and pay, by way of civil damages to the party injured by such illegal conduct, the sum of one thousand dollars, to be recovered by action of debt, in any of the district or territorial courts aforesaid, within whose jurisdiction the said offence may have been committed.

SEC. 5. *And be it further enacted.* That the marshals, their deputies, and the clerks of the said district and territorial courts, shall be paid for their services the like fees as may be allowed to them for similar services in other cases; and where such services are rendered conclusively in the arrest, custody, and delivery of the fugitive to the claimant, his or her agent or attorney, or where such supposed fugitive may be discharged out of custody for the want of sufficient proof as aforesaid, then such fees are to be paid in the whole by such claimant, his agent or attorney; and in all cases where the proceedings are before a commissioner, he shall be entitled to a fee of ten dollars in full for his services in such case, upon the delivery of the said certificate to the claimant, his or her agent or attorney; or a fee of five dollars in cases where the proof shall not in the opinion of such commissioner, warrant such certificate and delivery, inclusive of all services incident to such arrest and examination, to be paid, in either case, by the claimant, his or her agent or attorney.—The person or persons authorized to execute the process to be issued by such commissioners for the arrest and detention of fugitives from service or labor as aforesaid shall also be entitled to a fee of five dollars each for each person he or they may arrest and take before any such commissioner as aforesaid, at the instance and request of such claimant, with such other fees as may be deemed reasonable by such commissioner for such other additional services as may be necessarily performed by him or them; such as attending at the examination, keeping the fugitive in custody, and providing him with food and lodging during his detention, and until the final determination of such commissioner; and in general for performing such other duties as may be required by such claimant, his or her attorney or agent, or commissioner in the premises; such fees to be made up in conformity with the fees usally charged by the officers of the courts of justice within the proper district or county, as near as may be practicable, and paid by such claimants, their agents or attorney, whether such supposed fugitives from service or labor be ordered to be delivered to such claimants by the final determination of such commissioners or not.

SEC. 6. *And be it further enacted.* That upon affidavit made as aforesaid by the claimant of such fugitive, his agent or attorney, after such certificate has been issued, that he has reason to apprehend that such fugitive will be rescued by force from his or their possession before he can be taken beyond the limits of the State in which the arrest is made, it shall be the duty of the officer making the arrest to retain such fugitive in his custody, and to remove him to the State whence he fled, and there to deliver him to said claimant, his agent, or attorney. And to this end, the officer aforesaid is hereby authorized and required to employ so many persons as he may deem necessary to overcome such force, and to retain them in his service so long as circumstances may require the said officer and his assistants, while so employed, to receive the same compensation, and to be allowed the same expenses, as are now allowed by law for the transportation of criminals, to be certified by the judge of the district within which the arrest is made, and paid out of the treasury of the United States: *Provided*, That before such charges are incurred, the claimant, his agent or attorney, shall secure to said officer payment of the same; and in case no actual force be opposed, then they shall be paid by such claimant, his agent, or attorney.

SEC. 7. *And be it further enacted*, That when any person held to service or labor in any State or Territory, or in the District of Columbia, shall escape therefrom, the party to whom such service or labor shall be due, his, her, or their agent or attorney, may apply to any court of record therein, and make satisfactory proof to such court of the escape aforesaid, and that the person escaping owed service or labor to such party.—Whereupon the court shall cause a record to be made of the service so proved and also a general description of the person so escaping, with such convenient certainty as may be; and a transcript of such record, authenticated by the attestation of the clerk and of the seal of the said court, being produced in any State, Territory, or district in which the person so escaping may be found, and being exhibited to any judge, commissioner, or other officer authorized by the law of the United States to cause persons escaping from service or labor to be delivered up, shall be held and taken to be full and conclusive evidence of the fact of escape, and that the service or labor of the person escaping is due to the party in such record mentioned. And upon the production by the said party of other and further evidence if necessary, either oral or by affidavit, in addition to what is contained in the said record of the identity of person escaping, he or she shall be delivered up to the claimant. And the said court, commissioner, judge, or other person authorized by this act to grant certificates to claimants of fugitives, shall, upon the production of the record and other evidences aforesaid, grant to such claimant a certificate of his right to take any such person identified, and proved to be owing service or labor as aforesaid, which certificate shall authorize such claimant to seize or arrest and transport such person to the State or Territory from which he escaped: *Provided* That nothing herein contained shall be construed as requiring the production of a transcript of such record as evidence as aforesaid; but in its absence the claim shall be heard and determined upon other satisfactory proofs competent in law. And should such fugitive at any time after being arrested as aforesaid by warrant as aforesaid, be rescued by force from those having such fugitive in custody, then it shall be lawful for such claimant, his agent or attorney, to exhibit proof of such arrest and rescue before any judge of the circuit or district court of the United States for the State where the rescue was effected; and upon such arrest and rescue being made to appear to him by satisfactory proof, and that the same was without collusion, and, further, that the service or labor claimed of such fugitive was due to such claimant in the State, Territory, or district whence he fled, it shall be the duty of such judge to grant to such claimant, his agent or attorney, a certificate of the facts so proved, and of the value of such service or labor [in the State, or Territory, or district whence the fugitive fled] to said claimant, to be proved in like manner; which certificate, when produced by such claimant or his attorney, shall be paid at the treasury, out of any moneys therein not otherwise appropriated; and the same shall be filed in the treasury as evidence of so much money due from the State or Territory whence the rescue was effected to the United States, and shall be by the Secretary of the Treasury reported to Congress at the next session ensuing its payment: *Provided*, That not more than $——in the case of a male, or $——in the case of a female fugitive, shall be allowed or paid.

SEC. 8. All acts or parts of acts coming within the provision of this act shall be and the same are hereby repealed. This act shall be in force from its passage.

Mr. Dayton moved to amend the amendment by substituting the bill laid on the table several weeks since by Mr. Webster, which he briefly supported. It provides that if the alleged fugitive shall declare that he owes no service to the claimant, the right of the claimant shall be decided finally without delay by the finding of a jury.

Mr. Mason opposed Mr. Dayton's amendment. He was satisfied that if its provisions were adopted the bill would be utterly ineffectual and useless. If the trial by jury was adopted it would be considered conclusive evidence of the refusal on the part of the Federal Government to perform its duty in relation to the delivery of the fugitive slaves.

Mr. Dayton replied, contending that there was no safer ground upon which the slaveholder could rest his rights than the verdict of twelve honest men.

Mr. Berrien called the especial attention of the Senate to the principle of the amendment, granting the trial by jury, and expressed a hope that Southern gentlemen would allow the question to be taken without debate. He asked the yeas and nays on the amendment, and they were ordered.

In the course of some remarks by Mr. Winthrop in the support of the amendment, Mr. Butler enquired whether he had ever heard of a case in which an attempt was made to assert a false claim by which a freeman was held as a slave.

Mr. Wales referred to several such cases.

Mr. Walker recited several similar cases, and among others one in which a white girl was scarcely rescued from the claim of a kidnapper.

Mr. Underwood said the provision for a jury trial would not satisfy the people of Kentucky, and advocated an amendment of the act of 1793, which should provide for the execution of that law by federal officers to whom such duty should be assigned.

Mr. Cass desired a simple amendment of the law of 1793, the main features of which he thought ought to be preserved. That act laid down four principles to which he was prepared to adhere. First, the right of the master to arrest his fugitive slave wherever he may find him. Second, his duty to carry him before a magistrate in the State where he is arrested, that the claim may be adjudged by him. Third, the duty of the magistrate to examine the claim and to decide like other examining magistrates, without a jury, and then commit him to the custody of the master. Fourth, the right of the master then to remove the slave to his residence.

After further debate the amendment was rejected; yeas 11, nays 27.

Mr. Chase moved to amend Mr. Mason's amendment by the insertion of a provision for a jury trial to test the question of claim or no claim, being the same in effect as the amendment just voted on. The amendment also was rejected.

Mr. Winthrop moved an amendment securing the right of habeas corpus to alleged fugitives, and providing for a judicial review of the decisions of the proposed commissioners, which, after debate, was also rejected; yeas 11, nays 26.

TUESDAY, Aug. 20.

After the consideration of the morning business, the Fugitive Slave Bill was again taken up, the question being upon Mr. MASON'S amendment, which was adopted without a division. This amendment provides in effect, that three commissioners shall be appointed in each county by the Federal Judge of the several Judicial Districts, who shall hear and determine in a fair manner, every case of an alleged fugitive from Slavery. The deposition or affidavit of the owner certified before some Judicial officer in the State from which the Slave may have fled and proof of the identity of the person claimed, to be deemed sufficient proof to warrant the delivery of the fugitive to the claimant who shall be subject to no further molestation in conveyance of his Slave back to the place from which he had fled, the decision of the Commissioner being final. The Marshal and his deputies are directed to execute the warrants issued by these Commissioners, and a penalty of six months' imprisonment or a fine of one thousand dollars is imposed upon those who shall aid in the escape of a slave from the claimant. It also provides that if the slave is rescued from the claimant, after being delivered into his hands by the Court, his or her slave shall be paid for out of the Treasury of the United States.

Mr. PRATT moved further to amend the bill by adding still more stringent provisions for the payment by the United States of the value of escaped slaves who shall not be delivered up to the claimant by the officers whose duty it is made to execute this law. Mr. Pratt supported his amendment at considerable length, closing his observations with a dissertation upon the impropriety and impracticability of abolishing Slavery throughout the Union, and some strictures upon a speech delivered in Ohio some time since by an individual who he designated as the higher lower.

Senator DAYTON opposed the amendment. He would like to get rid of this agitation by making it a question of dollars and cents merely, but it must be done in a legal and constitutional way. The principle involved in the amendment proposed was one which, if adopted, would lead to disastrous results.

Mr. BADGER advocated the amendment. If the Federal Government failed to perform its constitutional duty it was but just that the Western States should make good to the owner of the slave his or her value.

Mr BUTLER contended that the Federal Government ought not to be made the grand underwriters of fugitive slaves. It was the duty of the States to execute the constitutional provisions in question.

After some further debate, Mr. UNDERWOOD gave notice of an amendment in the form of a substitute for the entire bill, which was ordered to be printed. The Senate then adjourned.

WEDNESDAY, Aug. 21.

Mr. DAYTON submitted some remarks in reply to Mr. Badger's speech of yesterday and against Mr. Pratt's amendment making the United States liable for the value of an escaped slave when the Federal officers may fail to deliver him up to the claimant when evidence is furnished that such slave is within such officers' district.

Messrs. ATCHISON, FOOTE, PRATT and MASON advocated the amendment.

Mr. DAYTON rejoined to Mr. Pratt's remarks.

Mr. BERRIEN could not vote for the amendment. It was, in his opinion, unconstitutional. The United States Government ought not to and could not properly be made responsible for the value of fugitive slaves who might be lost to their owners because of the acts of a lawless mob.

Mr. MASON contended that it was a constitutional duty of the Federal Government to see that fugitive slaves were restored.

The debate was continued until nearly four o'clock, when, without coming to any vote, the Senate adjourned.

THURSDAY, Aug. 22.

The question being upon the amendment offered by Mr Pratt a few days ago to Mr. Mason's substitute for the original bill, it was rejected—Yeas 10; Nays 27.

Mr. UNDERWOOD then moved a substitute for the entire bill, providing Federal officers, whose duty it shall be to execute the law of '93, relative to Fugitives from Justice or Slavery. The amendment also provides for record evidence of the Slavery of an individual, his identity and escape, as proposed by the Committee of Thirteen, and provides further that the Claimant of a Fugitive, who asserts his freedom, shall give bond without security, to afford the slave opportunity for a Jury trial on the question of his right to freedom in the place from which he shall be alleged to have escaped.

Mr. MASON opposed the amendment. It provided nothing further than the law of '93, and would prove as inefficient as that law. Congress had no right to compel a master to give a bond in relation to his slave, and the adoption of this amendment would be an interference by Congress between the master and slave such as he could not consent to.

Mr. UNDERWOOD replied that there was no such interference as Mr Mason suggested. The proposition was only to refer a controverted question, like other controverted questions, to the judicial tribunals.

The debate was continued by Messrs. Mason, Underwood, Davis of Miss., Turney and Foote until 4 o'clock, when, without coming to a vote, the Senate adjourned.

FRIDAY, Aug. 23.

The Fugitive Slave Bill was again taken up.

After action upon various amendments, the question was stated upon Mr. Underwood's substitute heretofore noticed for the entire bill.

Mr. CHASE moved to amend the amendment by striking out a section making the provisions of the act applicable to the Territories so as to apply it to the States only A long debate ensued upon this amendment, in the course of which Mr. Yulee read from the *New York Journal of Commerce* a report of an amalgamated Convention at Cazenovia, commenting upon its incendiary address and calling the attention of the people of the South to it as a sample of the opinions and feelings of the North in relation to the rights of the South, or at least, acts which were countenanced and supported by their laws.

Mr DODGE, of Iowa, read an act of the State of Iowa, for the purpose of showing that her citizens entertained no such sentiments as those assigned to the North by Mr. Yulee, and ventured to assert that the proceedings and sentiments of the free Negro Convention at Cazenovia would be repudiated by the great mass of the people of New York.

The question being taken on Mr. Chase's amendment, it was rejected, he alone voting for it.

Mr. MASON moved to amend the amendment offered by him, and adopted in Committee of the Whole, by adding a provision making a Marshal or his deputy responsible in damages for the escape of a fugitive slave from his custody, after he shall have been arrested. It also makes him responsible if he shall fail to use all due diligence in executing the warrant for the arrest of the fugitive. The latter clause of the amendment was adopted without a division, and the former by Ayes 28, Noes 18.

Mr. Underwood's substitute was then rejected. Minor amendments were made to Mr. Mason's substitute, which was finally concurred in.

Mr. DAVIS of Mass, moved an amendment, the object of which was to relieve colored citizens of Free States from the operation of laws of Southern States, by which such colored citizens going to Southern cities as seamen are imprisoned and liable to be sold into Slavery. He supported the amendment briefly.

Mr. BUTLER contended that a colored man is not a citizen of the United States, and not entitled under the Constitution to the complete rights of citizenship.

Mr. BERRIEN contended for the right of a State to pass such municipal laws for its protection as may be deemed necessary. If the amendment should be adopted it must defeat the bill, as no man could vote for a proposition which aimed so deadly a blow at the safety of the people of the South, by sweeping away the safeguards which the States have erected to secure themselves, their wives and their children against the horrors of servile insurrection.

Mr. WINTHROP advocated the amendment, and submitted some pointed remarks, in consideration of the laws of South Carolina, to which the amendment refers. After some further debate

Mr. DICKINSON made some remarks in relation to the Cazenovia Convention, referred to this morning, by Mr. Yulee, saying that the Senator would never have alluded to it if he knew the scorn and contempt with which all such proceedings were looked upon by the great mass of the people of all parties of the North.

The question being taken upon Mr. Davis's amendment, it was rejected, Yeas 18, Nays 24.

The bill was then ordered to be engrossed, Yeas 27, Nays 12, as follows:

YEAS—Messrs. Atchinson, Badger, Barnwell, Bell, Berrien, Butler, Davis of Miss., Dawson, Dodge of Iowa, Downs, Foote, Houston, Hunter, Jones, King, Mangum, Mason, Pearce, Rusk, Sebastian, Soule, Spruance Sturgeon, Turney, Underwood, Wales, Yulee.

NAYS.—Baldwin, Bradbury, Chase, Cooper, Davis of Mass Dayton, Dodge of Wis. Green, Smith, Upham, Walker and Winthrop.

The Indian Intercourse bill, considered this morning, was then read the third time and passed, and at 5 o'clock the Senate adjourned till Monday.

Communications.

For the Standard.

VERONA, Aug. 12, 1850.

FRIEND GAY: In the conviction that abler penmen occupied your columns, I have not allowed myself to take a place in your pages; and, indeed, in the metamorphoses of Statesmen and events, it has really been difficult to know what to say, and say it right.

Our region has been affected as much as could be expected by the demise of the Sainted Zachary, and the prompt accession of a new Chief Magistrate; and we are not shrewd enough to cipher out the results of the problem thus propounded. That our Chief Magistrate is a conservative, is generally conceded. His selection of a cabinet bespeaks this fact so plainly that a wayfaring man, though a fool, need not err; and he that runneth can read the letters which proclaim *subserviency to the South*. Webster, the hero of Northern recreants, heads the list; and then follows Corwin, once so nobly eloquent for the right, but now mute as a dumb dog; and a brace or two of slaveholders fill out the requisite number. If Mr. Fillmore does not have a cabinet harmonious in its devotion to the Slavery interest, then I lose my venture in guessing at the matter.

The movements of our Free Soil party are not of a very decisive order. There is now and then a *flare-up* among the editors, but the order to hush drowns the noise, and all set about the important task of whipping the Whigs—a game which it will be necessary to hire Captain Rynders to help play. Would not the presence of Mayor Woodhull and the New York City police be valuable in that flagellation?

Indeed, I more than half suspect that the Free Soil movement in this State was a humbug. To be sure, stump orators perambulated the country, declaiming the glories of Liberty, but the Barnburner leaders had long been trucklers to Slavery, and the natural allies of the South. Nobody believed them honest. They managed to harness the Liberty Party to their train, but they drove back many bolting Free Soil Whigs into the Taylor party. This secured an almost entire Whig delegation to Congress from this State, and strengthened the Slavery party in its rapacious demand for the spoils of office and enlarged territory.

It seems, indeed, to be a generally conceded fact that no man is honest as a politician. One would be laughed at who should seriously assert such a thing He would be thought green enough to admit a license for some waggish tricks to be played on his credulity. So that when righteous measures are agreed upon, or proposed in our legislative bodies, we are not to suppose that our political men are reforming, for the idea is out of the question, but that a more correct public sentiment is impelling them onward. This was true of the Whigs, in 1848. The force of public opinion compelled them unwillingly to profess Free Soil doctrines; but now, at Washington, and the volcano well capped, they are ready to sell all out for the old hats and clothes which the South are willing to spare to them.

I observe with pleasure the friendly attitude which Gerrit Smith assumes. Old associations bid fair to be renewed. The peculiar doctrines of the Liberty Party, at the head of which he stands, cannot be very repugnant to Abolitionists of the Old School. Their professed allegiance to the American Constitution is only to it as an Anti-Slavery Instrument. The other features they deny *in toto*, applying the principle laid down by Blackstone, that when any instrument admits of a two-fold construction, the one shall be adopted most favorable to freedom. One paper would be just as good as another with that rule of interpretation. Mr. Smith himself once assured me that no enactment can ever legalize violence to human rights.

W. A White, it seems, has undertaken to bell the cat. He will not, I hope, forget to let her out of the bag. But, as the Free Soil party of Massachusetts is of different metal from that of this State, it is not so easy to speak for that longitude. I hope that, for the present, they will manage to preserve an identity, even though they fail to whip the Whigs. Every thing has its place and its use. But the merging in with the New York Barnburners, even on the Buffalo platform, was an act unwise in its policy, and disastrous in its results. The desertion of that faction, in 1849, left them in a plight most unenviable, and liable to the fate of innocent Tray, who got into bad company, if not of the grisette deserted of her admirer, her character, as an honest woman, *non est inventa*. Yet I hope the Massachusetts Free Soilers will preserve an existence.

But is not Gov. Briggs possessed of a strong *penchant* for capital punishment; or is the Bay State sinking below the Empire for morality? Pearson has just been murdered by the Sheriff, and now the Massachusetts vultures are snuffing for the blood of Professor Webster. When will they have their fill? More hanging seems to be done in that State than in this; yet we certainly must have four times the population, and many foreign vagrants at that. It may be, however, that the rule will apply to us that Mrs. Thule applied to her relatives, when comparing them to those of Dr. Johnson: "I have had no uncle hanged, as you have," said she, "but I have more than twenty relations who ought to be."

Nevertheless, I think that the following anecdote is more appropriate in touching off the old Bay State: A traveller had wandered many dreary days in an uninhabited forest, when he suddenly emerged into a clearing. Conspicuous before him stood two gallows trees, with the pieces of rope dangling in the wind. As our adventurer came in sight of this spectacle, he extended his hands, clapping them together, and exclaiming, "Thank God, thank God, I have come into a Christian country."

If the citizens of that commonwealth arise in their might and displace their Governor and Council, and wash the Death Penalty from their Statute Book, there will verily be ground of confidence that there is a God that judgeth in Israel. As to their newly appointed United States Senator, he is as good a vane as the persons who chose him for a representative; indeed, he is nothing else.

The event, however, most worthy to be chronicled is that two members of the American Senate, Messrs. Seward and Hale, have discovered that there is a power superior to Constitutions. Even though, like Copernicus, they are obliged to keep the discovery till the day of death, or suffer imprisonment, for proclaiming it, longer than Galileo, the truth once revealed, can no more be hid. Another Newton will write Principal

*The question is being agitated, by the Old Hunkers, whether Daniel S. Dickinson shall not be re-elected to come to judgment, but to hold his seat in the U. S. Senate, there to represent both New York and Virginia. A man who can claim the support of two Hunker parties can act for two States; and this Senator Dickinson, the Congressional buffoon, has long been engaged in doing.

General Intelligence.

Two slaves, the property of Mr. Calvert, are said to have absconded, and thirty or forty from the adjoining region in Maryland.

The number of the students in the Southern Colleges has increased largely, it is said, owing to the growing unwillingness of Southern parents to send their children North, on account of the Anti-Slavery sentiment which prevails here.

HENRY WARD BEECHER.—We (*Tribune*) understand that the health of this highly talented Brooklyn Divine is rapidly improving under his European trip.

Cassius M. Clay addressed an audience of 4,000 citizens of Brown county, Ohio, near Ripley, on the 1st instant, being the Anniversary of West India Emancipation. The meeting was attended by men of all parties.

THE EXECUTION OF PROF. WEBSTER.—The Boston *Transcript* states that the sheriff has had some five hundred applications for places at the execution of Prof. Webster.

Considerable excitement has been created in Harrisburg, Pa., in regard to the examination before the Court of three negroes, brought up on habeas corpus, charged with horse stealing in Virginia. It is said they are runaway slaves and that the charge of stealing is only a ruse to get them back to Virginia.

ABDUCTION OF NEGROES.—The *Republican*, published at Lake Providence, La., of the 27th ult., says there was considerable excitement there on the day previous by the running off of forty-five or fifty negroes form the Peru plantation in Washington county, Miss., by those who assumed heirs to the property Sheriff Mosley declined to follow them, as by so doing, he was informed, his life would be placed in danger.

The new three cent pieces, recently issued at the Philadelphia Mint, have on one side the words "United States of America," in which is a circular wreath, enclosing the numerical "111." On the obverse side is the Liberty cap, inscribed with the word "Liberty," and surrounded with rays. Underneath the cap are the figures "1850."

John Vanhooser lives in the county of Jefferson, Tenn., and he voted for Gen. Washington for the Presidency. He is in the 122d year of his age. Until recently, the Knoxville (Tenn.) *Register* tells us, he was in the habit of walking to and from that town on calls of business, a distance of five or six miles, without experiencing fatigue. He is a German by birth, but emigrated to this country about one hundred years since. He was in several of the most important battles of our Revolution.

Extract of a letter dated Pleasant Hill, Alabama, August 5, 1850.

"Our citizens are under great excitement at present from an attempted insurrection among the slaves at Benton, about sixteen miles distant. We learn that several meetings have been held, and that there were from four to seven hundred in attendance. We are happy to learn further that the leaders have been taken. Only one negro shot, badly wounded, and expected to die."—*Southern Press of Wednesday.*

THE CONTOY PRISONERS.—On Tuesday the steamer Swan was chartered by the United States Marshal, Mr. Bingham, to transport to the city, from the sloop of war Albany, the Contoy prisoners.

The roll of the Contoy prisoners was called, and as each name was spoken, the man who bore it passed by with his baggage on his shoulder, and disappeared over the side on to the deck of the Swan.

Of these prisoners, some eighteen or twenty are from Cincinnati. Some twelve or fourteen are from Jackson and its vicinity in Mississippi. The rest are from divers sections. They all tell dismal stories of their sufferings while lying imprisoned at Havana. They were kept heavily ironed all the time and watched by armed men day and night, with a vigilance that seemed to denote that a rescue was not unexpected. They fared otherwise not over-sumptuously, and had no more to eat than would cleverly keep their bodies and souls together. Most of them were in momentary expectation of a summons to death, and were kept so entirely ignorant of what was doing by the United States government in their behalf, that it was not until their irons were knocked off that they discovered that they had been authoritatively demanded. Most of them are in sound health, and look very little the worse for their hard treatment. With two or three exceptions, they are also quite youthful, and none of them bear indications of profligacy or viciousness. We suspect that the tale they tell of being deluded into the foolhardy expedition is true—they no not look like men who would voluntarily seek glory or wealth by any of that Quixotic madness which characterises Lopez and his associates.

Of the prisoners, we learn that two or three may be detained as witnesses; or their affidavits taken, to be used in the cases now pending in the United States Court at New Orleans.—*Mobile Herald of August 8th.*

HORRIBLE TRAGEDY.—An appalling and bloody tragedy came to light at Troy, on the 21st inst., at the St. Charles Hotel. About 10 o'clock in the forenoon, Mr. B. B. McDonald, the proprietor of the hotel, thinking there was something wrong in the non-appearance of a man and woman who had stopped as travellers, went up to their room and knocked at the door, but receiving no answer, he opened a small window over the door, when a horrid spectacle was presented. Both man and woman were dead. The bodies, the clothes, and the bed were covered with blood, and the throats of both were cut and horribly mutilated. The man and woman came to the Hotel about 4 o'clock on Monday morning From facts which were brought out, it was found that the man's name was William A. Caldwell, a resident of Whitehall, where he has left a father living. He was from 26 to 30 years of age, and had returned from sea about three or four months since. He was well dressed and of respectable appearance. The woman's maiden name was Louisa C. Van Winkle, but it is believed she was of late known by the name of Knapp She was between 25 and 30 years old, and very beautiful. She was dressed in deep mourning. and is stated to be from Brooklyn. The Coroner of Troy being out of the city, Coroner Caswell of Lansingburg was sent for to hold an inquest. The jury, after hearing the facts in the case, returned the following verdicts:—That the woman came to her death by having her throat cut from ear to ear by the hands of William A. Caldwell, on the evening of Tuesday; and that Caldwell came to his death by his own hands.

FREDERICK DOUGLASS paid his stage fare at Columbus, Ohio, and was then refused an inside seat. He has sued the Company for refusing to let him ride inside.

GENERAL WASHINGTON'S SPECTACLES.—We were not a little surprised, a day or two since, to learn that the spectacles worn by Gen. Washington, throughout the Revolutionary war, are now in the possession of an aged and highly respectable lady in this city, by the name of Marsh. One of her relatives, long since dead, received them in exchange from the hand of Washington himself, for a pair furnished at the time, and they have since come into the possession of the lady referred to by regular descent. They are of heavy silver frame, with very large round glasses, and apparently constructed after the style we have been accustomed to see in the books, upon the nose of Red Riding Hood's grandmother. The worthy owner of them prefers their use to that of any other, no matter how extravagant or costly may be their finish, and we do not wonder at it.—*Detroit Advertiser.*

CAPTIVE LADY AMONG THE CAMANCHES.—The Van Buren (Ark.) *Intelligencer* says a trader among the Camanche Indians has discovered in a camp of that nation, a white woman, fair and comely in appearance, who is intermarried among them, and says she is a sister of Lieut. Love or Lovett, who commanded a train which left Independence, about three years ago, for Santa Fe, and that she was in company with the party when it was attacked by the Camanches, and that her brother was badly wounded, a large number of the men were killed, and she with a number of men were carried off prisoners by the Indians. She says she is well treated by her husband, but the women are cruel to her—that she is anxious to return to her friends, and that four or five good riding horses will procure her ransom.

MARRIAGES.

BODELL—NORTHAL.—At Brooklyn, by Rev. Samuel R. Johnson, Frederick W. Bodsten, formerly of the Deutsche Schnellpost, to Miss Julia L. Northall.

WISE—EVERETT.—In Cambridge, August 14, Lieut. Henry Augustus Wise, of U. S. Navy, to Miss Charlotte Brooks, daughter of Hon. Edward Everett.

DEATHS.

LAWRENCE.—At his residence, Bay Side, Queen's County, Long Island, on the night of Saturday last, Judge Effingham Lawrence in the 73d year of his age.

BACKUS.—At Morristown, St. Lawrence Co., on Monday, 12th inst. (at the residence of his son-in-law, Capt. R. B. Chapman), Colonel Elisha Backus, in his 68th year.

WRIGHT.—At Somers, Con., last week, Hon. Frederck L. Wright, Judge of Tolland County Court, and Judge of Probate for the District of Somers.

MILLER.—At Harrisburg, August 21, Jesse Miller, Esq., Secretary of State of Pennsylvania, under Governor Shunk.

STUART.—At Chicago, 8

Poetry.

From Wordsworth's New Poem, "The Prelude."
Published in advance of the Press, by The Literary World.

CHOICE OF A SUBJECT.

WHEN, as becomes a man who would prepare
For such an arduous work, I through myself
Make rigorous inquisition, the report
Is often cheering; for I neither seem
To lack that first great gift, the vital soul,
Nor general Truths, which are themselves a sort
Of Elements and Agents, Under-powers,
Subordinate helpers of the living mind:
Nor am I naked of external things,
Forms images, nor numerous other aids
Of less regard, though won perhaps with toil
And needful to build up a Poet's praise.
Time, place and manners do I seek, and these
Are found in plenteous store, but nowhere such
As may be singled out with steady choice;
No little band of yet remembered names
Whom I, in perfect confidence, might hope
To summon back from lonesome banishment,
And make them dwellers in the hearts of men
Now living, or to live in future years.
Sometimes the ambitious Power of choice, mistaking
Proud spring-tide swellings for a regular sea,
Will settle on some British theme, some old
Romantic tale by Milton left unsung;
More often turning to some gentle place
Within the groves of Chivalry, I pipe
To shepherd swains, or seated harp in hand,
Amid reposing knights by a river side
Or fountain, listen to the grave reports
Of dire enchantments faced and overcome
By the strong mind, and tales of warlike feats,
Where spear encountered spear, and sword with sword
Fought, as if conscious of the blazonry
That the shield bore, so glorious was the strife;
Whence inspiration for a song that winds
Through ever changing scenes of votive quest
Wrongs to redress, harmonious tribute paid
To patient courage and unblemished truth,
To firm devotion, zeal unquenchable,
And Christian meekness hallowing faithful loves.
Sometimes, more sternly moved, I would relate
How vanquished Mithridates northward passed,
And, hidden in the cloud of years, became
Odin, the Father of a race by whom
Perished the Roman Empire: how the friends
And followers of Sertorius, out of Spain
Flying, found shelter in the Fortunate Isles,
And left their usages, their arts and laws,
To disappear by a slow gradual death,
To dwindle and to perish one by one,
Starved in those narrow bounds: but not the soul
Of Liberty, which fifteen hundred years
Survived, and, when the European came
With skill and power that might not be withstood,
Did, like a pestilence, maintain its hold,
And wasted down by glorious death that race
Of natural heroes: or I would record
How, in tyrannic times, some high-souled man,
Unnamed among the chronicles of kings,
Suffered in silence for Truth's sake: or tell
How that one Frenchman, through continued force
Of meditation on the inhuman deeds
Of those who conquered first the Indian Isles,
Went single in his ministry across
The Ocean; not to comfort the oppressed,
But, like a thirty wind, to roam about
Withering the Oppressor: how Gustavus sought
Help at his deed in Delecarlia's mines:
How Wallace fought for Scotland; left the name
Of Wallace to be found, like a wild flower,
All over his dear Country: left the deeds
Of Wallace, like a family of Ghosts,
To people the steep rocks and river banks,
Her natural sanctuaries, with a local soul
Of independence and stern liberty.
Sometimes it suits me better to invent
A tale from my own heart, more near akin
To my own passions and habitual thoughts;
Some variegated story, in the main
Lofty, but the unsubstantial structure melts
Before the very sun that brightens it,
Mist into air dissolving! Then a wish,
My best and favorite aspiration, mounts
With yearning towards some philosophic song
Of Truth that cherishes our daily life;
With meditations passionate from deep
Recesses in man's heart, immortal verse
Thoughtfully fitted to the Orphean lyre;
But from this awful burden I full soon
Take refuge and beguile myself with trust
That mellower years will bring a riper mind
And clearer insight.

THE BOY POET.

There was a Boy: ye knew him well, ye cliffs
And islands of Winander!—many a time
At evening, when the earliest stars began
To move along the edges of the hills,
Rising or setting, would he stand alone
Beneath the trees or by the glimmering lake,
And there, with fingers interwoven, both hands
Pressed closely palm to palm, and to his mouth
Uplifted, he, as through an instrument,
Blew mimic hootings to the silent owls,
That they might answer him; and they would shout
Across the watery vale, and shout again,
Responsive to his call, with quivering peals,
And long halloos and screams, and echoes loud,
Redoubled and redoubled, concourse wild
Of jocund din; and, when a lengthened pause
Of silence came and baffled his best skill,
Then sometimes, in that silence while he hung
Listening, a gentle shock of mild surprise
Has carried far into his heart the voice
Of mountain torrents; or the visible scene
Would enter unawares into his mind,
With all its solemn imagery, its rocks,
Its woods, and that uncertain heaven, received
Into the bosom of the steady lake.

This Boy was taken from his mates, and died
In childhood, ere he was full twelve years old.
Fair is the spot, most beautiful the vale
Where he was born; the grassy churchyard hangs
Upon a slope above the village school,
And through that churchyard when my way has led
On summer evenings, I believe that there
A long half hour together I have stood
Mute, looking at the grave in which he lies!

THE PHANTOM RIDER.

Once in the stillness of a summer's noon,
While I was seated in a rocky cave
By the sea-side, pursuing, so it chanced,
The famous history of the errant knight
Recorded by Cervantes, these same thoughts
Beset me, and to height unusual rose,
While listlessly I sate, and, having closed
The book, had turned my eyes towards the wide sea
On poetry and geometric truth,
And their high privilege of lasting life,
From all internal injury exempt,
I mused, upon these chiefly; and at length,
My senses yielding to the sultry air,
Sleep seized me, and I passed into a dream.
I saw before me stretched a boundless plain
Of sandy wilderness, all black and void,
And as I looked around, distress and fear
Came creeping over me, when at my side,
Close at my side, an uncouth shape appeared
Upon a dromedary, mounted high.
He seemed an Arab of the Bedouin tribes:
A lance he bore, and underneath one arm
A stone, and in the opposite hand a shell
Of a surpassing brightness. At the sight
Much I rejoiced, not doubting but a guide
Was present, one who with unerring skill
Would through the desert lead me; and while yet
I looked and looked, self-questioned what this freight
Which the new-comer carried through the waste
Could mean, the Arab told me that the stone
(To give it in the language of the dream)
Was "Euclid's Elements:" and "This," said he,
"Is something of more worth;" and at the word
Stretched forth the shell, so beautiful in shape,
In color so resplendent, with command
That I should hold it to my ear. I did so,
And heard that instant in an unknown tongue,
Which yet I understood, articulate sounds,
A loud prophetic blast of harmony,
An Ode, in passion uttered, which foretold
Destruction to the children of the earth
By deluge, now at hand. No sooner ceased
The song, than the Arab with calm look declared
That all would come to pass of which the voice
Had given forewarning, and that he himself
Was going then to bury these two books:
The one that held acquaintance with the stars,
And wedded soul to soul in purest bond
Of reason, undisturbed by space or time;
The other that was a god, yea many gods,
Had voices more than all the winds, with power
To exhilirate the spirit, and to soothe,
Through every clime, the heart of human kind.
While this was uttering, strange as it may seem,
I wondered not, although I plainly saw
The one to be a stone, the other a shell;
Nor doubted once but that they both were books,
Having a perfect faith in all that passed.
Far stronger, now, grew the desire I felt
To cleave unto this man; but when I prayed
To share his enterprise, he hurried on
Reckless of me: I followed, not unseen,
For oftentimes he cast a backward look,
Grasping his twofold treasure—Lance in rest,
He rode, I keeping pace with him; and now
He, to my fancy, had become the knight
Whose tale Cervantes tells; yet not the knight,
But was an Arab of the desert too;
Of these was neither, and was both at once.
His countenance, meanwhile, grew more disturbed;
And, looking backwards when he looked, mine eyes
Saw, over half the wilderness diffused,
A bed of glittering light: I asked the cause:
"It is," said he, "the waters of the deep
Gathering upon us;" quickening then the pace
Of the unwieldy creature he bestrode,
He left me; I called after him aloud;
He heeded not; but, with his twofold charge
Still in his grasp, before me, full in view,
Went hurrying o'er the illimitable waste,
With the fleet waters of a drowning world
In chase of him; whereat I waked in terror,
And saw the sea before me, and the book,
In which I had been reading, at my side.

Miscellany.

WOMAN IN FRANCE *during the Eighteenth Century*. By Julia Kavanagh. Two vols. Smith and Elder. 1850.

THE first of these volumes describes Parisian society from the death of Louis XIV. to the accession of the unfortunate Louis XVI.; in the second, the subject is continued through the painful period of the French Revolution. *Both periods* are painful to dwell upon; indeed, although the repeated recital of the horrors of the guillotine makes the heart sick, yet, relieved as these annals are, by numerous instances of virtuous fortitude and disinterested generosity on the part of the victims, they scarcely afford so dishonorable a view of human nature as is exhibited by the retrospect of those scenes of heartless gaiety and laborious frivolity which disgraced the society of France during the greater part of the century—the period of the Regency and of Louis XV. The history of the French Revolution has been written again and again, and *will be*, assuredly, before the world becomes weary of the fearful excitement of its awful lessons. It is not a subject well suited to a woman's pen; but to disentangle from the ravelled skein of history the names of the most distinguished women of France, to show how they were moulded by the time, and how they affected others, and to describe the influence of such periods on the female character, this is a useful and not an unfitting task for an authoress to undertake; and it has been done by Miss Kavanagh with much ability and care.

The assiduousness with which the Parisian men of letters attended the saloons of fashionable ladies, who held what were termed "Bureaux d'Esprit," properly suggests the inquiry whether these ladies were pre-eminent in ability. Miss Kavanagh decides that the attractiveness of the drawing-room was chiefly owing to the want of a political arena.

"Women owed this power to the want of political liberty. This want was not greater than in the preceding century; but the wish for freedom had increased. The saloons over which they presided were the only places where what could not have been published without the prospect of the Bastile, might be spoken with comparative impunity. This is why the influence of woman can so clearly be traced through all the philosophy and literature of the eighteenth century. That graceful brilliancy of style—the light frivolous mask, which concealed such destructive features—clearly belong to her, and to that conversational power fostered beneath her care, under the name of *causerie*, so distinctive in itself, of the times and of the national character."—Vol. I. p. 18.

One of the most intellectual of these coteries was thus described by Marmontel, as quoted in the work before us:

"I there saw assembled Montesquieu, Fontenelle, Mairan, Marivaux, the young Helvétius, and others, all literary and scientific men; and in the midst of them a woman of singular talents and profound judgment, but who, with her plain and simple exterior, had more the look of the housekeeper than of the mistress. This was Madame de Tencin. . . . . I soon perceived that each guest came there ready to act his part, and that the wish of shining often prevented conversation from following an easy and natural course. Every one seemed eager to seize as quickly as possible, and as it flew by, the opportune moment of uttering his bon-mot and his anecdote—of ushering his maxim or his trail of light and brilliant wit; and this necessary *a propos* was often rather far-fetched."

This Madame de Tencin was an *ex-nun*: educated and compulsorily immured in a convent, she had first escaped from the restraint, and afterwards, by special intercession, obtained release from her vows. She was the heartless mother of D'Alembert, the great mathematician.

It is easy to trace the influence of the empire of fashion over the literature of the time. Madame du Chatelet, the friend of Voltaire, instigated him to write his chief historical work, while she was herself "wrapped up in Algebra." There were, however, few women of learning.

"The necessity under which men labored, of explaining to the women with whom they conversed, matters their ignorance prevented them from understanding, made them acquire a clearness and facility they often transfered to their writings. That excessive polish, which is both the beauty and the defect of the French language, is to be attributed to female influence. Women necessarily perfect the taste of a nation, and the wish of pleasing them introduces refinement and elegance. The assemblies over which they then presided were not free, however, from great disadvantages. One of their most serious evils was, that for the calm meditation of former writers, they substituted the habit of quick and light decisions peculiar to conversation. Mingled presumption and frivolousness thus became one of the characteristics of the times."—P. 214.

At the beginning of Louis the Sixteenth's reign, the fashion set in favor of *simplicity* and *sentiment*. Rosseau, Sterne, the pastoral Gessner, Florian, and St. Pierre, were the favorite writers of the time; and "vague desires for the general progress of humanity, undefined aspirations towards excellence, and exaggerated manifestations of feeling (which were ironically stigmatised by the name of *sensiblerie*), began to characterize French society. In the environs of Paris, and in several of the provinces, moral festivals were established. Prizes were given to the most exemplary young girls, to pious children, and to kind mothers. A prize for maternal kindness! Good actions and useful labors were also rewarded. There was a festival in honor of *good people*, and another to the praise of pure morals! One of the leaders of fashion in Paris is said to have introduced *live sheep* into her drawing-room, which was fitted up in pastoral style, to the destruction of her beautiful mirrors.

Poor Paris was sick at heart, dissatisfied with herself, full of foreboding of ruin to come, whenever she dared to pause and think. The wit and grace, and all the adornments of the much-vaunted society, were but a gilded mask over the jealousy and the heart-burnings within. Meantime Fashion sought *a new game*. She was weary of playing with *court cards*, and eagerly seized hold of any strange device, like the plain dress and republican aspect of good Benjamin Franklin, which speedily became quite *the rage*. Though Maria Antoinette scarcely concealed her astonishment at the enthusiasm he excited, the Parisian ladies gave the Doctor several splendid fêtes. Everything became *a la* Franklin and *a la* Washington.

Amidst the frivolity of this profligate Paris, Madame Necker stands nobly apart—a woman who felt that she had duties, and who tried to fulfil them. We are told that there was Genevan austerity in her virtue, want of grace in her manners, and that she had *not a good cook*; but in spite of all these disqualifications, the Swiss wife of the Finance Minister obtained a share of influence. She had the far nobler satisfaction of assisting her husband in his duties, and of sedulously employing herself, by her attention to the prisons and hospitals, in mitigating the miseries of the unhappy. Madame Necker happened to hear of a State-prisoner, confined for twenty-eight years, under peculiarly aggravating circumstances. She undertook a journey to the spot, and although her power did not avail for his release, she was able to procure him greater ease. Active benevolence formed, at this period, the business of her life.

The virtuous and intrepid Madame Roland has also left a memery to be respected, although not in all respects an example to be followed. The daughter of a Parisian engraver, Manon Phlipon was educated in far happier circumstances than those high-born ladies who passed their days between excitements and ennui. She was trained by a tender mother, received instruction in more branches of education than would be commonly given, even now, to one in her position, and early became an enthusiast for liberty over the pages of Plutarch. "She entertained for a while the project of embracing a religious life: the sublime devotedness of the Sisters of Charity deeply touched her heart, already thirsting for self-sacrifice. Yielding to her earnest prayers, her parents allowed her to spend a year in a convent." Although Manon did not remain a believer in the doctrines of the Catholic church, she always endeavored to guide her conduct according to the early lessons she had received. She was studious, industrious, and domestic, but she could not check her aspirations for a nobler sphere of action than that afforded her. She regretted that she was not born under a democratic government, and she repeatedly refused to become the wife of wealthy Parisian tradesmen who solicited her hand. She preferred remaining single, to union with a man of inferior tastes and feelings. Roland, whom she at length consented to marry, was more than double her age, and far from fascinating but beneath his austere aspect she saw and admired a soul worthy of an ancient philosopher, by its stern and unyielding virtues." They married in 1781, removed to Amiens, where Roland was inspector of several important manufactories, and enjoyed some years of that calm domestic life which is woman's best sphere of action. They afterwards removed to the neighborhood of Lyons, where "her charity to the poor soon caused her to be almost worshipped in the vicinity of her new home. The opening events of the French Revolution first disturbed this obscure but happy existence." And now Madame Roland's republican ardor was at once re-awakened: "Blood may be shed," she enthusiastically wrote from her retirement to a friend, "but Tyranny will not be re-established; her iron throne is tottering throughout all Europe. The efforts of the potentates can only accelerate its fall. Let it fall! even though we should *be* buried beneath its ruins! A new generation will arise to enjoy the freedom we shall have bequeathed, and to bless our efforts in its cause."

Roland became a deputy, and afterwards a minister. The leading members of the National Assembly (one of whom was Robespierre) met frequently at his house to concert their measures: on these occasions his wife was present, employed apparently in needlework: but an anxious and attentive observer; she was decidedly distrustful of the intentions of the King and Queen, particularly after their attempted flight, and threw all the weight of her influence on the republican side. Zeal against monarchy caused, for some time, the Girondists, of whom Roland was one, to ally themselves with the men of blood, the uncompromising partizans, headed by Robespierre and Marat. When they recoiled and wished to twart the massacres, they themselves became the victims. Madame Roland was filled with horror at what was around her. "If anything increased her despair, it was the consciousness that her husband, though Minister of the Interior, could not prevent, could not do anything." As soon as the Girondists were overthrown, Madame Roland felt her insecurity, yet, according to this narrative, she disdained to seek safety in flight. When her husband lay concealed, we should have thought it no demerit for the wife to have endeavored to escape also. The arrest came, possibly, rather before she expected, but she had already provided for the saftey of her daughter, and she obeyed the summons with calmness, which drew praise from the officer who arrested her: "You have more strength of mind than most men," said he, "and you will wait patiently for justice!" "Justice?" exclaimed she, passionately; "were justice done me, I should not be here to-day; but I shall walk as calmly to the scaffold as I now proceed to prison."

The time was now come which must disappoint all her enthusiastic hopes. She was not to see realized her dreams of her country's freedom, but still she remained firm in energy, and generally serene. She made every effort to procure her freedom, she wrote to the Assembly, protesting against her illegal arrest: but when these efforts were unavailing, she showed neither despondency nor surprise. She procured some favorite authors. Thomson, Plutarch, and Tacitus, were her prison companions; flowers which she had always loved were brought to her, and she relaxed her mind by drawing—a proof that her hand must have been tolerably steady. After a captivity of twenty-four days, Madame Roland was unexpectedly released. She hastened home with a heart full of joy, eager to embrace her child, but scarcely had she entered her dwelling, when she was again arrested, and this time confined in a more wretched prison. For a few days she sunk under the trial, but rallying again, she undertook to write the history of her life, *appealing* from the judgment of her enemies to the more impartial award of posterity. After she had been for sometime confined, the jailer's wife offered to assist in her escape, but she refused the offer. Henrietta Cannet, one of the convent friends of her youth, wished to be allowed to suffer in her place; this was stated by Henriette herself to a friend.

"I was a widow," said she "and without children." Madame Roland, on the contrary, had a husband advanced in years, and a lovely little girl; both needed her utmost care. What could be more natural than for me to expose my useless life in order to save her's, so precious to her family? I wanted her to exchange her attire for mine, and to endeavor to escape while I remained behind. But neither prayers nor tears availed. 'They would kill thee, my good Henriette,' she unceasingly repeated, 'thy blood would ever fall on me.'"

Ever thoughtful for others, Madame Roland requested her counsel *not* to plead for her, giving him a ring from her finger as a remembrance, but declaring that his kind assistance, which might endanger him, could not avert her doom. Even when seated in the fatal cart, on her way to execution, she could still apply herself to administer consolation to an infirm old man who shared the same cruel sentence.

French society has been rightly stigmatised as frivolous, and yet the most daring deeds, perpetrated by woman, have been done in France. Strange and tragic is the history of Charlotte Corday. Daughter of a poor man of ancient lineage, and reared in convent seclusion of the old city of Caen, the young and beautiful Charlette, bent, like Madame Roland, over the pages of Plutarch till she kindled, with an enthusiastic wish, to rid her country of its oppressors. We rather wonder that *Plutarch* has not been interdicted. She heard of the imprisonment of Madame de Roland, and the proscription of the Girondists. Marat was now, she thought, the Tyrant of France; and she resolved to sacrifice her life by taking his. She meditated much, it is said, on the history of Judith; and having taken leave of her father, on the pretext that she was going to England, and distributed all her little property amongst her friends, she left her quiet home for Paris, fully resolved to do the deed, and abide the awful penalty. How, after resting in Paris two days, she called at the house of Marat, stabbed him to the heart as he sat in his bath, and attempted no flight or evasion, is well known, but must always be read and thought of with wonder and *disgust*, in spite of the motive which animated the deed. "The assassination of Marat exasperated all his fanatic partisans against the Girondists. On the wreck of his popularity rose the far more dangerous power of Robespierre: a new impulse was given to the Reign of Terror!" Truly has it been said, "the wrath of man worketh not the righteousness of God!"

In the instances we have here chosen, there was at least no frivolity exhibited, but strange were the pastimes which occupied the hours of many of the royalist victims in their more stately prison of the Luxembourg!

"The imprisoned aristocracy of France laughed at the revolutionary scaffold, as, under royal rule, it had laughed at *lettres de cachet* and the Bastile; it trifled with death, as it was its wont to trifle with everything; the same daring and frivolous race whom no suffering could subdue or render grave."—Vol. II. p. 266.

We are not well satisfied with a few exculpatory sentences which Miss Kavanagh keeps in store for Robespierre after his fall. Why attempt to palliate deeds so atrocious? There were others, it is probable, as bad, but the voice of contemporaries was loud against Robespierre, and to attempt to deny that he was *cruel*, to call him *religious* or well-principled, is, in our opinion, unwarrantable. Madame Roland, who knew him well, wrote to a friend on the 5th of September, 1792—"We are under the knife of Robespierre and Marat:" a few days after she added, "You knew my enthusiasm for the Revolution; well, I am ashamed of it now: it has been sullied by monsters; it is hideous."

When Robespierre at length was in the fatal cart, to which he had ruthlessly consigned so many of the innocent and brave, a woman cursed him in the name of every wife and mother in France. The imprecation, "thus passionately pronounced, has clung," says Miss Kavanagh, "to the name of Robespierre." It is no womanly part to try to remove it.—*London Inquirer.*

CO-EDUCATION OF BOYS AND GIRLS.

THE vigorous writer, Kent is shedding a strong light upon the Egyptian darkness of the present educational system of the country, and, "with deference and hesitation," has evolved a principle which will one day be admitted to constitute one of the most important elements of a right and healthful system of educatian, viz: "That a perfect school should necessarily contain both boys and girls, instructed by both men and women."

That such a proposition should be necessarily advanced with caution, and certainly received with incredulity, is but a proof of the fondness of mankind for their own inventions, despite the voice of nature and experience.

Having been educated in a part of the country where boys and girls pursue the same studies in the same classes, and under the same teachers, and, having watched with much interest the developement of the opposite system, I cannot refrain from noting a few results of personal observation and experience, which, though hastily and imperfectly thrown together, may perhaps serve as hints to an abler pen and a wiser observer.

The objections to a system of instruction embracing both boys and girls, seem mainly to be resolved into these two. The injury to the morals and manners of the pupils, and the impropriety of both sexes pursuing the same course of study. If the former evil be proved to have a real existence, the question of intellectual advantage should be excluded, as of altogether minor importance. All persons, I believe, appreciate the reciprocally beneficial influence of brothers and sisters in the family circle—why then should the same principles fail in application to the wider sphere of association among fellow students? I would answer, only through the culpable neglect of the teacher. He who undertakes the charge of training children—beings of undisciplined reason and subdued will—exhibiting the germs, and oftentimes the development of the worst passions, and these combined with affectionate temper, generous impulses, and high intellectual and moral capabilities—he, I say, who has undertaken the guidance of these powerful and incongruous elements, without feeling the absolute necessity of the most unwearied vigilance over the associations and intercourse of his pupils, has but imperfectly conceived the importance or the responsibility of his office. It is to be feared that much good teaching fails of its desired result from the neglect of this indispensable accessory. It is not unfrequently the case that good and efficient teachers, mistaking the department of direct instruction for the whole work of education, leave entirely unguarded and uncontrolled the intervals of relaxation, and unless some flagrant offence or noisy altercation demand their interference, remain in utter ignorance of that inner world of character, within which, whether trained or untrained, goes on the real education.

In the school-room, the teacher may impart the truths of science, may cultivate the reasoning faculties, may give a charm to literature—but it is in the association of his pupils, alone, that he may restrain pride, self-will, vanity, servility, boastfulness, unkindness, may cherish the virtues and the graces which ennoble and adorn the character, and, under those circumstances in which children feel, think and act most naturally, give them the habit of feeling, thinking and acting rightly. Which part of education takes the deeper hold upon the realities of life, it is not difficult to decide. Such watchfulness should be a matter of course, not an obnoxious rule. Unceasing, that it be of any benefit, affectionate, that it be not regarded as odious contrast.

Hence will be perceived the propriety of female assistance, as possessing, in some important respects, the most desirable influence in the formation of character. Possessing by intuition a ready insight into the hidden springs of human action, with a gentleness and tact not the invariable attributes of masculine perfection—a woman will often restrain and renovate unruly elements which bid defiance to all efforts of sterner masters. There is no better proof of this truth, than the fact so often noted in those parts of the country where the schools are taught alternately by male and female teachers, for the period of six months each—that the most ungovernable pupils of the winter schools are often the most tractable under the dynasty of the mistress. I have seen a rough, ill-bred boy of thirteen, from that rudest of all masses, a boy's public school in a great city, placed under the tuition of ladies, and, after the first surprise of being treated like a gentleman had subsided, become docile, polite, studious and considerate. There is a chivalry which is no imaginary trait of boyish character, and which, if neither dishonored nor ridiculed, constitutes a motive of self-government far more wholesome than severity of restraint.

The evil effect upon girls of associating with boys at school, is doubtless honestly considered to be great by parents accustomed to the opposite system—but they will scarcely be said to judge of the subject impartially, inasmuch as they view it in the light of evils which the system of separation has itself created. Practically those evils are found to be no greater, and often far less, than those resulting from the mode of education which prevails in our cities. It should be remembered that all undesirable traits in children are not necessarily the effect of contact with others. No one has watched the growth of a little child, how lovely soever, without having been surprised at indications of evil, which could be traced to no external source. That such evil is greatly developed by indiscriminate association, is lamentably true, but that it is more true of the society of boys and girls than of either separately, experience will not prove to be the case. That boys possess any monopoly of sin, their respective parents at least will be slow to admit. Whence do girls derive improper notions or habits? Is it not from unrestrained intercourse with other girls? And are boys who grow up without the habitual influence of the gentler sex, to be remarked for propriety or delicacy of character? The actual fact, as exhibited where the fashionable monasticism of the day has not yet obtained, is, that boys and girls are a restraint upon each other, and less frivolity, less impropriety and less real rudeness prevails between them than when restricted to their own society.

It excites a sense of the ludicrous, mingled with regret, to witness the anxious care of mothers, lest their little girls should be brought, however transiently, into contact with little boys, and that under the eye of a teacher—when a moiety of the same vigilance exerted to preserve them from unrestrained association with their own playfellows, would erect a safeguard around the gentleness, purity and truth of their little ones, now unhappily too often wanting. Boys are boisterous—thanks to the system of home-training which allows them the too unlimited exercise of muscle, lungs and will, and denies to their sisters the healthful use of either. They are often rude, but will they become less so by herding together without the softening influence which, from the cradle to the grave, will assert its quiet dominion, whenever its natural and legitimate exercise is permitted.

The point in question takes a deeper hold upon the fabric of the social constitution than at first appears. Men and women are, undeniably, intended to find their happiness, and their highest sphere of usefulness in each other's society. Is it then rational to suppose that an entire system of training, which carfully excludes each from the acquaintance and participation in the pursuits, enjoyments and aims of the other, is calculated to produce the most satisfactory results, either of happiness or usefulness. The artificial fashion of society is the universal subject of complaint, it would seem that the artificial system of education has something to do with it. Compare the position of girls under the legitimate effect of each mode of training, when prepared to enter upon the realities of life. The baby belle of the promenade is taken in full dress to call upon her "beau," learning, with her first lispings, that some peculiar relation exists between her and her "little husband." She is, in due time, sent to school, and, by parent, nurse and teacher is taught to regard a boy as a kind of ogre, except when she occasionally meets him at a children's party, or a soirée—where, nature and circumstances combining to render them mutually agreeable, she takes, of her own vanity, lessons in juvenile coquetry and affectation. At the boarding-school she begins to rebel at the necessary, but too often vain, rules of restraint, and finds the interdicted note, message, flower, delightful—and, if good sense and providential circumstances prevent greater folly, she emerges into life, prepared to find her happiness in some being whom her fancy has invested with superhuman excellence, and for intimate acquaintance with whom she is indebted to morning calls, evening dances, and summer excursions. What wonder, then, at the mutual disappointment which too often results from the ignorance of each of the tastes, sensibilities, habits of feeling, subjects of thought and modes of action of the other. Is not common reason strongly in favor of the condition of one who, accustomed to simple natural intercourse with the playfellows of her brothers, forms understanding friendship with both classes of her older companions, and enters upon life without the excitement of an entire change of her habitual society.

The advantages of a common intellectual culture are too numerous, and too important, to be noted here, but are certainly worthy of especial attention. That a great change in the present mode of education could not be effected without some immediate undesirable results, is more than probable—but that the experiment of training boys and girls together, even in the face of the prejudices of society at the present time, will prove abundantly satisfactory to the watchful teacher, is the experience of

CORNWALL.

—*Home Journal.*

A LAW CREED FOR FATHERS.

MR. EDITOR: There is a legal dexterity almost always at work to take advantage of public disgusts or antipathies, and turn them to account for purposes of bigotry or oppression. Liberties are filched like purses on occasion of the condemnation of criminals for whom the public feels no sympathy. The worst laws, or worst interpretations of laws, have slid in apropos to the worst offences. At such times the public censor is off his guard; the wholesome jealousy that checks administration or legislation is slumbering. People are looking the other way, and while their attention is occupied the mischief is perpetrated. The trick has often been played by thieves, Prime Ministers and lawyers.

Nor is it always intentional. A functionary, who has a strong bias, in politics or religion, may deceive himself, and act quite unconsciously of wrong. He may verily believe that he is pursuing truth and justice, and doing service both to God and man. A British Judge is unimpeachable; but his judgments, and the reasons he assigns for them, are open to criticism. I mean, therefore, not the shadow of imputation upon Sir J. K. Bruce in the comments it is needful to make upon some passages in his recent elaborate judgment on the notorious Agapemone case.

As to the case itself, I have nothing to say. I leave Mr. Thomas, without scruple or remorse, in the hands of his Honor. That the child is rightfully withheld from such a parent, it is not my purpose to dispute. The desertion of the mother may be fairly held to have included that of the child. That is ground sufficient and satisfactory for the decision. Nor do I care to investigate the tenets or the merits of the Agapemonites. They seem to be a set of enthusiasts by no means of the worst description, but more ostentatiously regardless while pursuing their own nonsense, of the nonsense of their neighbors, than it is safe for any enthusiasts to be who have not a *peachant* for persecution. For aught I know, Henry James Prince may be as good a "servant of the Lord" as the Pope himself. He may be as full of the Holy Ghost as the Bishop of Exeter. But servants of the Lord must not play at hockey on Sundays in this country if they would lead a quiet life; and it is for Established Bishops, not for Agapemonian Patriarchs, to dash about in carriages and four as a religious exercise. To bring goods into a common stock was Christianity once, but it is Socialism now, and therefore identical with blasphemy and atheism. The Agapemonites are too sprightly for English saints. Hence the hatred toward them of long-faced orthodoxy. A Mussulman Paradise on earth is beyond the toleration of a Christian people.

Still we have not so much religious liberty in this country that we can afford to part with an atom of it for the sake of condemning these merry fanatics. Let them only be worried within the limits of the law. Do not let us have children abstracted from their parents on the score of heterodox doctrine. Keep out of our houses the theological exciseman who guage the strength of the father's faith to decide whether he shall be trusted with the education of his boy. Sir J. K Bruce was not wise in calling up the recollection of Lord Eldon's precedent in the case of Shelley, the poet. No doubt it was legal and no doubt it was atrocious. Could any thing make it more abominable than it was in itself, that aggravation would be found in associating it with the gross affair of the Long Pole Wellesley. There is pollution in bringing the mere names into juxta-position. But even Shelley's case falls short of both the direct assertion and the incidental and comparatively hesitating opinion contained in the following passage, which I copy from the *Times*' report of the judgment:—"I doubt, moreover, whether a man who, having been ordained a minister of religion as a Christian in a Christian community, has designedly and systematically given up attending any place of worship—whatever his private feelings may be, and whatever hymns he may sing—ought in any condition of circumstances to be permitted in this country to have the guardianship or care of an English child for whose maintenance and education there exist any other means of providing, though the child be his own. But that particular question I think it not in the present instance necessary to decide, and I wish to be understood as not giving any opinion upon it. However this may be, I apprehend that in England a man who holds the opinion that prayer, in the sense of entreaty and supplication to the Almighty, is no part of duty, but is superfluous—who considers, moreover, that there is not any day of the week which ought to be observed as a Sabbath, as a day of peculiar rest, or as one of peculiar holiness, or in any manner distinct from other days, must be deemed to entertain opinions noxious to society—adverse to civilization—opposed to the usages of Christendom — contrary, in the case of prayer at least, to the express commands of the New Testament—and, finally, pernicious in the highest degree to any young person unhappy enough to be imbued with them. I say, I repeat, in England. If this is a just view of such opinions, they must disqualify him who avows them and carries them into practice for the education, and, in my judgment, for the guardianship of an English child, whether his own son or the son of any other—an observation, if liable to any exception on qualification, I apprehend an exception or qualification in the single and unlikely case of a moral certainty or a high degree of probability existing that these opinions will not be communicated to the child—that the child will escape the infection—that he will remain untainted."

When a Judge upon the Bench "wishes to be understood as not giving any opinion," he had better hold his peace. His very "doubt" is an opinion.—It serves as a suggestion to the litigious. Persecution will take it as a signal of encouragement; and the Vice-Chancellor's doubt goes a long way. Had our great Christian Poet accomplished his youthful purpose of ordination, it would have depenalnalized Milton, for he relinquished all public worship in his latter days. It would have depenalnalized Gilbert Wakefield, one of the most learned Christians this country ever produced, and not one of the least conscientious. It hangs black and lowering, over the heads of such men as Froude and Newman, whose sincerity and earnestness shame the profession from which they have emerged. Such doubts and hypothetical cases are the stimulus of bigotry. They open a wide field for persecution, and it may perhaps, ere long, be hounded on its game. The points on which the Vice-Chancellor has no doubts, as to their authorizing the Courts to deprive the paternal relation of its natural rights mark out a considerable number of possible victims. He pronounces "prayer in the sense of entreaty and supplication" and Sabbatarianism to be essential to parental functions. What a monstrous disqualification! Why, nineteen-twentieths of Europe is non-Sabbatarian. And for his other test, that of entreaty to the Unchangeable, what becomes, when so tired, of all the necessarian philosophers? Yet our Hartleys and Priestleys have been thought good and wise enough to direct the education of their own children. I profess not to criticise the law of this dictum. Members of the profession tell me it is not sound law. Be that as it may, I will answer for its not being common justice or common sense. There are cases in which the State has a right of inteference between parent and child. Such are cases of manifest cruelty or gross neglect. But a doctrinal qualification is a gross absurdity. Nor could the preposterousness of the idea be better shown than by the conundrums selected for the purpose by the Vice-Chancellor.—"You do not pray in the sense of entreaty; you do not supplicate a Being to change his course whom the first article of your faith declares to be immutable: and, therefore, you are not fit for the guardianship of an English child!" Alas! for the children who shall be wards in Chancery if this doctrine shall prevail. Folly and hypocrisy must be the great teachers of the rising generation. Carried into practice the theory of Knight Bruce would be as sweeping a measure as the Electoral Bill of Louis Napoleon. It would disfranchise, or unfather, half the paternity of England. Our Reformers have been too exclusively intent upon merely political improvement. They have too much abandoned Ecclesiastical matters to a few Anti-State-Church Dissenters. The Priesthood has stolen a march upon us. Everywhere we encounter its baleful influence. On the Bench it interprets laws, and in Parliament it makes them. It stops our letters at the Post-office, and our means of locomotion at the railway. If we seek to bury our dead at a wholesome distance from our houses, it claims a vested interest in our corpses, and bargains for the removal of poison by perpetual annuities. Its finger is in every pie; dirt pies not excepted. It does church work at schools, and claims to be paid over again. Our country is in the high road towards a worse mental slavery than that which degrades the most Popish regions. We shall have next to swear to the Athanasian creed at the polling-booth. No man will have a chance of getting on in life but by holding, *i.e.*, professing to hold, "the true faith." And all the while the parsons themselves are damning one another for false faith. It is not the other world, but this world, about which they are united. The first practical article which they would impose is not "I believe in God," but "I believe in the parsons." This binds together their own Catholic Church.—Their corporate cupidity scorns all decency. Thousands of pounds are spent by the score upon Bishop's palaces, and then we are asked to subscribe for the relief of their spiritual destitution. "Issachar is a strong ass, couching down between two burdens:" but though the State burden be very heavy, the Church burden upsets the equipoise. Political freedom and Church ascendancy cannot co-exist. We should have had great reforms long ago but for the ecclesiastical barrier. Intellectual education will never be tolerated in that quarter. The late Archbishop of Canterbury, half a century ago, originated the phrase "prostration of the understanding," and it describes Church religion more accurately than ever at the present day. Faint is all hope of progress till the people learn the worth of mental freedom and independence. It goes for a great deal more than the Parliamentary electoral franchise. Prime Ministers, in this country, are slaves—slaves of the Church. All they dare to do is, now and then to smuggle in a liberal Bishop or Dean. And all the result of that is, that the Liberalism evaporates as speedily as possible. We are cajoled by the noxious pretence that religion must be provided for the people by the State. Left to themselves, they would provide it for themselves. Church and State are in a vicious circle. The Prime Minister thinks he commands the Church, because he creates a Bishop. It is no such thing. His Bishop inhales the Episcopal atmosphere and becomes his master, or one of his masters. Another spirit besides the Holy Ghost has been infused into him by consecration, the spirit of the Church corporate. That consumes all of soul that was in him, and takes its place. A priesthood is the same now that it was in the beginning, and ever shall be, world without end.

We must not be led away by the nonsense of the Agapemonites, or the conduct of Brother Thomas. They may be the greatest idiots, and he the greatest knave in creation, without affecting the argument. Nor is it touched by any deree of incapacity in him for the mental and moral training of his child. I look at the sweeping principle of inquisition into the faith of fathers which is hooked upon this case without having any logical connexion therewith. I denounce that as one of many symptoms of agression upon intellectual liberty. We are not responsible to the law for our creeds, nor for the faith we teach our children. Priestcraft is so prone to intermeddle with everything that we need not wonder it should not respect the sanctity of the hearth; but the boldness of the invasion may produce a recoil which shall beat back the parsonic power within its proper boundaries.

—*London Dispatch.* PUBLICOLA.

Gleanings